

Improvement Plan Progress Report – Roads & Maritime Services



This report must be completed and submitted quarterly to the Accreditation Unit NSW. The report is due on the following dates:

- Q1 (January, February, March): 15 April each year
- Q2 (April, May, June): 31 August each year
- Q3 (July, August, September): 15 October each year
- Q4 (October, November, December): 31 January each year

Improvement recommendations have been prioritised as High, Medium or Low.

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
1.1 Procurement Function Strategy: PFS reporting requirements do not clearly align to the Corporate Plan reporting undertaken by procurement hence CE review of the PFS is not clear. Recommendation 1.1: Align PFS KPI reporting to the procurement reporting against the Corporate Strategy.	30/06/16		5%	M	R1.1: Procurement Branch Delivery Plan 2015/16 is currently being developed and the PFS will be reviewed to align KPIs. The hierarchy from a Branch level is also being developed and will linked to the respective strategies for the Division, RMS and the Transport Cluster.
1.2 Procurement Management Plan: The PMP does not clearly provide an analysis of: <ul style="list-style-type: none"> • internal and external market data as driver for the category strategies • robust analysis of external market information and analysis Recommendation 1.2: Update the PMP to provide clear reference to internal and external market data (including information and analysis) as part of the category strategies	30/06/16		5%	M	R1.2: The newly appointed Procurement Analyst within the Procurement Branch will conduct internal and external market analysis across all RMS high spend and risk categories. Will work closely with Business Units to assist with the development of procurement strategies. The Procurement Strategy template is currently being revised to direct and assist Buyers on conducting market analyst, including across the Transport Cluster and other Government agencies, when developing their procurement strategies.
1.3 Performance against PFS and PMP: the quarterly reviews against the PFS and PMP are planned but not commenced and role of CE not clear in the review process	30/06/16		R1.3.1 (10%)	M	R1.3.1: The CPO provides quarterly updates to the Chief Executive on the progress of the PFS & PMP.

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<p>Recommendation 1.3. 1: Demonstrate that the quarterly reviews of both the PMP and PFS have been conducted as planned and the CE was involved in a review of the PFS at least annually</p> <p>Recommendation 1.3.2: Demonstrate that the established governance structure (the POG) has tracked progress of improvement initiatives</p>			R1.3.2 (10%)		<p>R1.3.2: PFS & PMP review is an agenda item on the bi-monthly Procurement Oversight Group (PoG).</p> <p>The PFS has been summarise to a 'Plan on a Page', approved by Director Corporate and has been communicated to the PoG and CE to track KPI's through a traffic light tool to indicate progress.</p>
<p>2.1 Procurement Governance Structure</p> <ul style="list-style-type: none"> Evidence of governance structure – either committee or clear delegate review missing from most projects Currently RMS Central Procurement Group do not manage any entity contracts so have limited ability to demonstrate new procurement tools and systems <p>R2.1.1: (refer to R3.1)</p> <p>R2.1.2: RMS central procurement group manage a key entity procurement process and/or contract to highlight ongoing management of procurement performance and demonstrate tools and systems, especially supplier relationship management and benefits realisation.</p>	30/06/16		<p>R.2.1.1 (5%)</p> <p>R2.1.2 (5%)</p>	M	<p>R2.1.1: The CPO and Director Corporate attend monthly client management meetings with RMS' high spend supplier (TSS) to manage the performance of the arrangement. The Procurement Branch is developing a Contract Management Plan (CMP) to form a Business Case so that the Procurement Branch can solely contract management the TSS Contract. This includes liaising with Sydney Trains who also use TSS in the same capacity, so as to have consistency and shared learning's in the CMP.</p> <p>The CPO & Director Corporate have also met with the Reform Office to initiate discussions about RMS structure and enabling the Procurement Branch to have more access to Business Unit procurement activities. As a result, the Procurement Branch and Audit and Risk are in the planning stages of conducting risk assessments by Branch in order to identify key areas on focus.</p> <p>R2.1.2: The Procurement Branch is collaborating with Audit & Risk Branch to develop an Audit Plan on the Procurement Process to audit a certain number of procurement projects across all Divisions on a quarterly basis to be reported back to the PoG and Senior Executives.</p>

E18/0281/AS-25-001/PR-0001 D10529670

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
2.2 Procurement Risk <ul style="list-style-type: none"> Procurement risk assessment and management needs to be recorded and clearly assigned across all key project phases, especially from planning to source to managing. High value and or high risk procurement projects should record risk reviews at each gateway R2.2: Periodically review procurement projects for application of risk assessment and management across the whole project phases consistent with RMS tools and systems	30/06/16		5%	M	R2.2: The Procurement Branch is collaborating with Audit & Risk Branch to develop an Audit Plan on the Procurement Process to audit a certain number of procurement projects across all Divisions on a quarterly basis.
3.1 Business case: Consistent demonstration of business case requirements either separate to or within procurement strategy. Report against business case outcomes as part of post-project reviews.	30/06/16		10%	H	R.3.1: The Procurement Branch has developed a Procurement Community of Practice (CoP) held on a quarterly basis to bring together RMS staff who conduct procurement activities. The CoP is an opportunity to share knowledge and learnings of procurement activities and promote the procurement manual and policies. Workshops are currently being provided to assist with the development of procurement staff. Current training workshops scheduled are ICAC Procurement Training, Probity Training and training on how to use E-Tender and E-Quote systems.
R.3.1 Continue to implement processes from the current RMS Procurement Manual with advice/support of CPO/Central Procurement team with a view to demonstrate that the procurement strategy and implementation for all projects are conducted consistent with the RMS Procurement Manual prior to their commencement. Key areas to be addressed to demonstrate are: <ul style="list-style-type: none"> Business case evidence linked to post project performance review Spend analysis Demand drivers and methods to manage demand drivers Market analysis Industry expertise involvement Sourcing approach with strategic 					The Procurement Manual and templates is being revised to align with Accreditation Improvement Plan recommendations and to improve the usability for staff.
					A series of 'factsheets' are being developed, for example, how to use panel contracts to help guide staff on the procurement procedure.
					The Procurement Branch is collaborating with Audit & Risk Branch to develop an Audit Plan on the Procurement Process to audit a certain number of

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<ul style="list-style-type: none"> assessment of opportunities, including use of negotiations compliance to tendering and evaluation requirements negotiation and contract management, including use of contract management plans application of the current Supplier Relationship and Performance Management Framework across contracts frequency of updates to the Benefits Realisation Register post project review of procurement resource allocation. 					procurement projects across all Divisions on a quarterly basis.
3.2 Spend Analysis Conduct detailed spend analysis as part of planning for higher value projects. Key areas to address are: (i) focus on opportunity assessment; (ii) baseline developed from data and validation conducted with finance and business stakeholders; (iii) improvement opportunities framed on the detailed analysis and benefits estimates. R.3.2 (refer to R3.1)	30/06/16		10%	H	R.3.2: As per comments in above recommendation 3.1
3.3 Demand/needs analysis Demand and needs analysis are feature of the new RMS procurement tools but limited demonstration of its application from prior projects. Consistency of application and use an area of improvement. R3.3 (refer to R3.1)	30/06/16		10%	H	R.3.3: As per comments in above recommendation 3.1

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
3.5 Supplier market analysis Supplier market analysis and use of industry experts is a feature of the of the new RMS procurement tools but limited demonstration of its application from prior projects – application of new sourcing strategy is important to transition from a tendering organisation to a procurement organisation.	30/06/16		10%	H	R.3.5: As per comments in above recommendation 3.1
R3.5 (refer to R3.1) 3.6 Sourcing Strategy Strategic assessment of opportunities for sourcing approach which may be alternatives to conventional tendering processes can be further explored within the sourcing strategies consistent with detailed supplier market analysis. Negotiations could be specifically considered in sourcing strategy documents.	30/06/16		10%	H	R.3.6: As per comments in above recommendation 3.1
R3.6 (refer to R3.1) 3.7 Tendering and Evaluation Consistent application of the new RMS procurement manual so that all procurement projects have in place clear evaluation steps as represented in evaluation plans. Procurement currently relies mostly on manual system controls and automated controls can be enhanced in line with ERP implementation.	30/06/16		10%	H	R.3.7: As per comments in above recommendation 3.1 E-learning modules are currently being developed with RMS Organisation Development and TfNSW (where alignment standardisation is possible). Discussions are also occurring with NSW Procurement's Manager, Capability Development so as to leverage the work they are doing and to share learning's from other agencies (e.g. Health).
R3.7 (refer to R3.1 and R4.1)					

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
3.8 Negotiation and contract award <ul style="list-style-type: none"> Understanding and use of negotiation plans and risk assessments as part of contract award to be enhanced Negotiation framework in ROMS not aligned to new RMS Procurement Manual negotiation protocol to be executed by both negotiating parties covering governance and behaviour/confidentiality not evident R3.8: (refer to R3.1 and R6.3)	30/06/16		10%	H	R.3.8: As per comments in above recommendation 3.1 E-learning modules are currently being developed with RMS Organisation Development and TfNSW (where alignment standardisation is possible). Discussions are also occurring with NSW Procurement's Manager, Capability Development so as to leverage the work they are doing and to share learning's from other agencies (e.g. Health).
3.9 Fulfil <ul style="list-style-type: none"> management of the implementation of new contracts and on-boarding of successful suppliers and transition between suppliers Utilisation of existing contracts for spend can be more closely monitored with clear monitoring of non-compliance. R3.9.1 (refer to R3.1) R3.9.2: Develop and implement RMS training for staff trained on implementation and on-boarding procedures and protocols, and incorporate in PDR pro	30/06/16		10%		R.3.9: As per comments in above recommendation 3.1
3.10 Contract Management <ul style="list-style-type: none"> agree contract management plans with suppliers contract management activities include processes for risk and change management 	30/06/16		10%	H	R.3.10.1/2: As per comments in above recommendation 3.1

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<ul style="list-style-type: none"> consider suppliers incentives for continuous improvement as part of contract management. <p>R3.10.1 (refer to R3.1)</p> <p>R3.10.2: Develop and implement in contract management plans provisions for incentivising suppliers to strive for continuous improvement.</p>					External workshops on Contract Management are to be developed and organised to develop staff on how to build a contract management plan (CMP).
<p>3.11 Supplier Relationship Management</p> <ul style="list-style-type: none"> improve consistency in supplier relationship management, especially KPI monitoring and senior oversight, demonstrated through records, reporting and capability. <p>R3.11.1 (refer to R3.1)</p> <p>R3.11.2: Develop and implement RMS training for staff trained on implementation and on-boarding procedures and protocols, and incorporate in PDR process</p>	30/06/16		10%	H	<p>R.3.11.1/2: As per comments in above recommendation 3.1</p> <p>Discussions are occurring with Sydney Trains so as to leverage their SRM process and to share learning's from other agencies</p>
<p>3.12 Benefits Realisation</p> <ul style="list-style-type: none"> improve involvement of RMS Finance and/or Treasury in the benefits realisation process increase reporting on benefits realisation and maintenance of benefits realisation register by Central Procurement Unit. <p>R3.12.1 (refer to R3.1)</p> <p>R3.12.2: Central Procurement Unit maintain the benefits realisation register and include Procurement Oversight Group reporting.</p>	30/06/16		10%	H	<p>R.3.12.1/2: As per comments in above recommendation 3.1</p> <p>A revision of the Benefits Realisation template is underway along with a 'how to guide' to be circulated to Business Units.</p>

E18/0281/AS-25-001/PR-0001 D10529670

Improvement Plan Progress Report – Roads & Maritime Services



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<p>4.1 Availability of tools and systems Tools and systems are not yet in a single platform with end to end functionality and the implementation of ERP. Further, RMS needs to map how the end to end procurement business will be delivered.</p> <p>R4.1 Improve procurement as part of automating procurement business requirements across key ERP waves as part of the transition to an end to end system.</p>	31/07/16		35%	H	<p>R4.1: The Transport Cluster is currently rolling out and implementing ERP modules in a stage approach to streamlined and standardised framework for corporate shared services and shared services across the Transport cluster. RMS first stage (wave 1) will go live January 2016. However RMS will start to benefit from TfNSW's July 2015 first stage go-live July 2015 due to their management of vendor and material maintenance and contract administration via Transport Shared Services (TSS).</p> <p>The CPO is the RMS Agency functional lead for the procurement stream and driving the change management process across RMS which includes introductory awareness sessions and communications to the business informing of the step change to an automating procurement process. The CPO's role reports into the Transport Functional Working Group (FWG) so as to share and discuss best practice, learning's and standardisation across the cluster.</p>
<p>5.1 Information Management and Reporting Data on expiring contracts need to be clearly captured and migrated from CM21 to ERP and be utilised as part of single source procurement dashboard reporting.</p> <p>R5.1: Develop a data transition plan to migrate contract data onto ERP and revise the procurement dashboard report to be sourced almost exclusively from procurement data with ERP.</p>	30/06/16		10%	L	<p>R5.1: The newly appointed Procurement Analyst within the Procurement Branch holds monthly meetings with TSS (who have reporting obligations as part of the Service Level Agreement between TSS & RMS). The reporting includes, non-disclosure, metric dashboards as well as 26 agreed KPI's.</p> <p>An expiring contracts register is being developed in collaboration with TSS for the Procurement Analyst to reach out to Business Units to assist them with the development of procurement strategies and/or inform them of the procurement procedure.</p> <p>The ERP programme has a transition plan to migrate all</p>

E18/0281/AS-25-001/PR-0001 D10529670

Improvement Plan Progress Report – Roads & Maritime Services



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					<p>contracts from CM21 to ERP. The program has the following three go-live stage dates which will impact RMS:</p> <p>Wave 0 – July 2015 (Transport) Wave 1 – January 2016 (Transport and RMS) Wave 2 – July 2016 (Transport and RMS)</p> <p>Transition dates and ERP modules attached (attachment 1)</p>
<p>6.2 Level of capability Central procurement to directly manage key categories and contracts so as to demonstrate applied procurement leadership.</p> <p>R6.2. (refer to R2.1.2)</p>	30/06/16		10%	M	<p>R6.2: The CPO and Director Corporate attend monthly client management meetings with RMS' high spend supplier (TSS) to manage the performance of the arrangement. The Procurement Branch is developing a Contract Management Plan (CMP) to form a Business Case so that the Procurement Branch can solely contract management the TSS Contract. This includes liaising with Sydney Trains who also use TSS in the same capacity, so as to have consistency and shared learning's in the CMP.</p>
<p>6.3 Training and Capability</p> <ul style="list-style-type: none"> • Capability assessment for procurement community of practice not completed • Procurement training plan needs to align to the outcome of this capability assessment. • Funding and resourcing to be clarified for the training plan. <p>R6.3: RMS align procurement training plan to procurement practitioners gaps arising from capability assessment. Revised plan be approved by the Procurement Oversight Group with an approved budget support.</p>	30/06/16		15%	M	<p>R6.3: Following on from the Procurement Training Plan, a series of Procurement Workshops have been organised. i.e. Probity Officer Training, ICAC Procurement, how to use e-learning and e-quote systems, contract management and market research workshops to develop procurement staff's capabilities.</p> <p>E-learning modules are also being developed with RMS Organisation Development and TfNSW (where alignment standardisation is possible) as a training tool for procurement staff. Discussions are also occurring</p>

Improvement Plan Progress Report – Roads & Maritime Services



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Refer also to R3.9.2 and R3.11.2.					with NSW Procurement's Manager, Capability Development so as to leverage the work they are doing and to share learning's from other agencies (e.g. Health).
6.4 Level of Resourcing Demonstration of post implementation reviews to assess adequacy of resources applied to procurement projects is not evident. R6.4: (refer to R3.1)	30/06/16		5%	M	R6.4: The CPO & Director Corporate have met with the Reform Office to initiate discussions about RMS structure and enabling the Procurement Branch to have more access to Business Unit procurement activities. As a result, the Procurement Branch and Audit and Risk are in the planning stages of conducting risk assessments by Branch in order to identify key areas on focus. Spot Buy will be transitioned to TSS when ERP goes live (wave 1 – July-16) for spend <\$250 not on contract/catalogue.

This report was submitted for (✓)	Q1		Q2		Q3		Q4	
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Date and Signature:

2/4/15

Chief Procurement Officer

Date and Signature:

15.4.2015

Chief Executive Officer



Transport
Roads & Maritime
Services

TRANSPORT ADMINISTRATION ACT 1988

PORTS AND MARITIME ADMINISTRATION ACT 1995

DELEGATIONS MANUAL

I, **Ken Kanofski**, Acting Chief Executive of Roads and Maritime Services pursuant to section 50 of the Transport Administration Act 1988, and section 27(2) of the *Ports and Maritime Administration Act 1995* and all other enabling powers:

Delegation

Delegate the functions of Roads and Maritime Services in accordance with the Delegations Manual dated 12 November 2015.

Revocation

Revoke and replace the Delegations Manual dated 15 July 2015 (including delegations that were subsequently made and recorded in the Release Page in that version of the Manual).

Ken Kanofski

Acting Chief Executive

Date: 12 November 2015

DELEGATIONS MANUAL

Dated 12 November 2015
(Updated 25 July 2016)

Release Page

The changes listed below are changes to the Roads and Maritime Services (RMS) Delegations Manual that is approved by the Chief Executive intermittently after the review of the manual.

[illegible]

Table of Contents

Section 1- Introduction	5
Section 2- Principles of Delegation, General Conditions and Definitions	6
2.1. Principles of Delegation	6
2.2. General Conditions	7
2.3. Definitions	9
Section 3- Change Process	10
3.1 Scope	10
3.2 Updating Existing Delegations	10
3.3 Process	10
3.4 Feedback and suggestions for improvement	11
Section 4 – General Delegations and Delegation Levels	12
4.1 General Delegations	12
Section 5- Delegation Clauses	14
5.1 Administration	14
5.1.1 Records, Privacy, GIPA Act, Travel, Telephone, Gifts	14
5.1.2 Administration- Trucks	18
5.2 Non-Construction Contracts/Procurement	21
5.2.1 Consultants and Contracts	22
5.2.2- Purchasing of Goods and Services	23
5.3 Financial and Property	26
5.3.1 Financial Management	26
5.3.2 Road Related Property Activities Undertaken by Infrastructure Development Division (IDD)	33
5.3.3 Property Acquisition Activities Undertaken by Corporate & Commercial Division	36
5.3.4 Property Management Activities Undertaken by Corporate & Commercial Division	37
5.3.5 Property Administration Activities Undertaken by Corporate & Commercial Division	38
5.3.6 Property Disposal and Sales Activities Undertaken by Corporate & Commercial Division	39
5.3.7 Maritime Property Activities Undertaken by Corporate & Commercial Division	40
5.3.8 Facility Management Activities Undertaken by People and Corporate Services Division of Transport for New South Wales	42
5.4 Human Resources	44
5.5 Infrastructure Contracts	45
5.5.1 Bidding for External Work and Open Competition Work	46
5.5.3 Project Development	60
5.6 Information and Communications Technology (ICT)	65
5.7 Legal	69
5.7.1 Legal Matters	69
5.7.2 Insurance	77
5.7.3 Civil Claims	81
5.8 Registration, Licensing & Regulatory Services	84
5.9 Traffic	86
5.9.1 Bidding	86
5.9.2 Hazard Removal	89
5.9.3 Regulations	89
5.9.4 Speed Limits	91
5.9.5 Authorised Officers and Approved Persons	91
5.9.6 Parking and Crossing schemes	93
5.10 Marine Regulatory Delegations	94

Section 1- Introduction

1. Introduction and Scope

This document is the Roads and Maritime Services' (RMS) Delegations Manual and it records the delegations the Chief Executive has made whether relating to regulatory functions and powers under statute or otherwise.

It does not record employment delegations. Employment delegations are made by the Transport Secretary and may be found at <http://home.rta.nsw.gov.au/policiesanddocuments/delegations.html>

Why are delegations important?

Without a delegation from the Chief Executive (or the Transport Secretary in the case of employment functions) staff have no lawful authority to exercise RMS functions.

Code of Conduct and Delegation Standards

The Code of Conduct also stipulates that all staff are required to act within their delegated authority and in accordance with RMS policies and procedures. Delegations should be exercised taking into account: risk, value, probity, need for exercising (as sometimes delegations should not be exercised at all) organisational and political context.

The General Conditions are implied into every Delegation and they include standards a Delegate must comply with when exercising a Delegation (see paragraph 4 of Section 2).

What should You do?

All staff exercising delegations have a responsibility to ensure that their delegation is exercised in accordance with the Principles of Delegation and General Conditions (see Section 2) and the objectives of RMS.

Delegates must only exercise those delegations for which they have authority and over those resources for which they have responsibility within approved budgets and resources. Delegates will be held responsible for their actions.

All staff must ensure that the policies and procedures outlined in this manual are adhered to at all times.

Chief Executive

Section 2- Principles of Delegation, General Conditions and Definitions

2. Principles of Delegation and General Conditions

2.1. Principles of Delegation

The basic legal questions that should be asked by public servants when action is to be taken or a decision is to be made on behalf of the agency are:

- A. Is there a legal authority for taking the action or making the decision?
- B. Who has the legal authority to take the action or make the decision?
- C. Why is the action being taken or the decision made?

1 Matters Not Covered by Delegations

Approval to an action, not covered by this manual is to be sought through Directors, the Chief Operating Officer, Chief Financial Officer or the Chief Executive as appropriate.

2 Limits on External Delegations

- (a) Subject to (b) – (d) delegations cannot be granted to or exercised by external parties (for example, contractors and consultants and other “non-RMS staff”).
- (b) Under section 50 of the Transport Administration Act 1988 a delegation may be granted to the Transport Secretary or a member of staff of Transport for NSW, or a person of a class prescribed by the regulations.
- (c) Clause 87 of the Transport Administration (General) Regulation prescribes additional classes of persons to whom delegations may be granted. These include (amongst others) local councils, federal agencies, WestConnex and persons who have signed DVRS or MDVRS Agreements.
- (d) Section 7 of the Service NSW (One-stop Access to Government Services) Act 2013 permits the delegation of customer service functions to the CEO of Service NSW.

2.2. General Conditions

Every delegation is taken to include the following General Conditions except to the extent that any General Condition is excluded expressly or by necessary implication.

1 Delegations Include Line Management

A delegation to a position may also be exercised by the delegate's immediate line manager and thereafter up the management line.

A delegation vested in a lower delegation level is exercisable by a person with a higher delegation level (for example a level 3 delegation can also be exercised by persons holding the higher level 1 and 2 levels).

2 Higher Limits Include Lower Limits

Where a delegation nominates different delegates according to financial bands the delegation for the lower financial bands also vests in the delegates specified for the higher bands within that delegation clause. This is so whether or not the delegate in the higher band is the line manager of any delegate in the lower band.

3 Delegations Are To Positions

- a. Subject to (b) a delegation to a position or delegation level includes any one appointed or assigned to act in that position or, in the case of a delegation to a delegation level, with that delegation level at the relevant time, whether or not the person occupies the position in a permanent, temporary or acting capacity.
- b. This includes staff of another Government Sector Agency that are assigned to the position under section 66 of the Government Sector Employment Act 2013 and staff of Transport for NSW that are deployed to Roads and Maritime positions **BUT** this does **not** include skill hire or "business partners".
- c. A delegation vests in a person who is formally acting in a position **BUT**, provided the delegate is absent for more than one working day, the delegation also vests in anyone authorised to act in the position whether or not a Higher Duties Allowance is approved.

4 Standards

Delegates are expected to observe the following standards when exercising delegations:

- Exercise the delegation consistently with all relevant laws and policies, including the Code of Conduct;
- Obtain all necessary approvals;
- Inform themselves of the relevant facts;

- Consult with subject matter experts and obtain professional advice as may be necessary or desirable;
- Consult with and inform line management as appropriate;
- Act honestly and good faith without any conflict of interest;
- Only exercise a delegation in respect of a project or transaction for which they have responsibility or at the request of the person with responsibility;
- Where a delegation concerns a transaction or action, ensure the transaction or action is within the limit of an approved budget ; and
- Transaction-splitting to fit within financial limitations is prohibited.

Breach of these standards will not invalidate the exercise of a delegation but it may result in the decision being vulnerable to a legal challenge. For this reason, failing to observe these standards may lead to disciplinary action against the delegate.

5 Financial Limits Include RMS Costs Only

Where a delegation is subject to a financial limitation the limitation refers only to the share payable by Roads and Maritime and excludes the value of the transaction payable by another party. If financial contributions are required from an external party, written agreement to contribute the appropriate share of the cost of the work must be obtained from the external party before committing Roads and Maritime funds.

6 No Self-Approvals

A delegate cannot exercise a delegation to grant an approval for himself/herself (eg approve own leave or expenses).

7 Delegated Functions Include Incidental Matters

A delegation of a function also authorises any other function which is incidental to the delegated function.

8 Interpretation

Unless a contrary intention exists, any reference in a delegation to the words “approve”, “consent”, “authorise”, “grant” or “permit” is to be construed to mean “determine”.

“Determine” includes to

- (a) approve, consent, authorise, grant or permit (whether unconditionally or otherwise),
- (b) refuse, reject; or
- (c) vary, withdraw or terminate any approval consent or authorisation.

A delegation to approve or execute a contract or other document includes a delegation to approve or execute any assignment, novation, termination or variation of it (provided that in the case of a variation any relevant financial limitation is not exceeded).

2.3. Definitions

The following acronyms may be used:

IDD – Infrastructure Development Division

SCD – Safety and Compliance Division

JMD – Journey Management Division

AMD – Asset Maintenance Division

Corp – Corporate and Commercial Division

S&E – Strategy and Engagement Division

Section 3- Change Process

3. Change process

3.1 Scope

This section covers:

- making new delegations and
- updating existing delegations.

For more information see the delegations page on the intranet at <http://home.rta.nsw.gov.au/policiesanddocuments/delegations.html>

3.2 Updating Existing Delegations

An existing delegation can only be changed by revoking it and remaking it, that is making a new delegation to replace it.

3.3 Process

The delegation making process has eight (8) steps.

(1) Identification of issues

Identify and confirm:

- (a) the function or power to be exercised by the Delegate
- (b) what (if any) provision of an Act or Regulation confers this power or function
- (c) that the function of power is vested in the agency or the Chief Executive and can be delegated
- (d) the appropriate delegate(s)
- (e) any existing delegation which is to be revoked and replaced.

(2) Stakeholder consultation

Consult with all relevant stakeholders on the terms of the proposed delegation. Seek legal advice if needed.

(3) Prepare documentation

Before drafting the documentation consult the following:

- any relevant legislation
- the Principles of Delegation (see Section 2)
- the General Conditions (see Section 2)

Prepare the following documents:

- Form 637
- Formal Instrument of Delegation

- A covering Briefing Note explaining the changes/new delegations and recommending the Chief Executive approve the Instrument of Delegation, accompanied by attachments detailing the changes required to the current version of the Delegations Manual.

Note: Where an existing delegation is being updated then the Instrument of Delegation will also need to refer to and revoke the existing delegation. It is recommended that staff refer to the Delegation Instrument Template and liaise with Legal Branch in drafting the Instrument.

(4) Concurrences

Obtain the following approvals and concurrences to Form 637 and the draft Instrument of Delegation:

- General Manager (within relevant Division); then
- Director (within relevant Division); then
- General Counsel (Legal Branch)

(5) Forward to Director Corporate and Commercial Division

Forward to Director Corporate and Commercial who, after approving, will forward to Government Information Services Branch for submission to the Chief Executive.

(6) Submit to Chief Executive

Government Information Services Branch will submit the documents to the Chief Executive for approval.

(7) Registration

A delegation is valid and effective from the date that the Chief Executive signs the Instrument of Delegation.

(8) Publication

After approval by the Chief Executive, Government Information Services Branch sends the original documentation to the Executive Officer, Corporate and Commercial Division, so that the delegation can be registered and the online Manual updated.

3.4 Feedback and suggestions for improvement

To improve this Manual, forward any suggestions to the Penny Pridmore, Executive Officer, Corporate and Commercial Division.

Section 4 – General Delegations and Delegation Levels

4.1 General Delegations

The Chief Executive hereby delegates as follows:

Division Heads – General Delegation

To Directors, Chief Operating Officer and Chief Financial Officer all the functions of RMS in respect of their Division within their approved budget other than regulatory functions in respect of which a specific delegation exists.

4.2 Corporate Seal

The following specific functions are delegated:

- General Counsel to affix the 'SEAL'.
- Deputy General Counsel to affix the 'SEAL'.
- Director, Corporate and Commercial to affix the 'SEAL'.

4.3 Contract Principal

The Principal under Contract function has been delegated as below:

Contract	Delegate
All Construction Industry Contracts*	Director, Infrastructure Development (ID)
Non-Construction Industry Contracts	The head of the relevant Division responsible for the contract

* Section 5.5 provides a definition of Construction Industry

4.4 Delegation Levels

Delegations levels are detailed against each position in the IMS and Transport Equip systems. Not all positions require a delegation authority and their default therefore is level 7.

The delegation level associated to a position will appear on the RMS Intranet Phone Guide against the individual undertaking that position. The information tab for each person will contain the delegations field and level.

The delegation level assigned to a position or its position title details what delegations can be exercised by that position holder. For example, where a delegate in this manual is shown as a range 0-4, all those positions with a delegation level of 0, 1, 2, 3 and 4 inclusive can exercise that delegation. Officers should only exercise those delegations for which they have responsibility within approved budgets and resources.

Directors may only approve changes in delegation levels for staff in their division as required (Form 692 applies).

Definitions

As a **guide**, the following definitions apply in most circumstances:

- **Section Manager-** Responsible for managing a section within a Branch and reporting directly to a Branch/General Manager or Regional Manager. This may or may not include responsibility for managing staff. Each section may have its own cost centre. (e.g. Project Services Manager, Sector Manager, Customer Service)
- **Unit Manager-** Responsible within a section for managing a discrete area/activity and may or may not be responsible for managing staff. Reporting to a section manager who in turn reports to a GM. (e.g. Project Manager, Customer Service Centre Manager, Traffic Leader, Works Supervisor and Project Engineer). The Unit Manager may have a separate cost centre.
- **Supervisor/Team Leader-** All other staff who exercise any delegations in connection with their role, not at a Section Manager or Unit Manager Level (e.g. Customer Service Coordinator, Traffic, Project and Administration Clerk and Administrative Services Co-ordinator) often report direct to a Unit Manager and may manage other staff. Supervisors/Team Leaders do not normally have a separate cost centre and do not have any delegation within ESS workflow for leave and Higher Duties approvals.

Legend- Delegation Level	Level
Chief Executive	0
Director Chief Operating Officer Chief Financial Officer General Counsel	1
Group General Manager ¹	2
Branch Manager/General Manager/Regional Manager ² Deputy General Counsel	3
Section Manager ³	4
Unit Manager ⁴	5
Supervisor/Team Leader ⁵	6
General Staff ⁵	7

1. Includes GM Business Services RMS, GM Regional Maintenance Delivery, Regional Manager, Sydney and Chief Engineer Engineering Services
2. Includes Group Financial Controller, Principal Bridge Engineer, Principal Road Pavement and Geotechnical Engineer, Principal Road Design Engineer, State Wide Delivery Manager, Maintenance Delivery Managers, Regional Maintenance Delivery Manager Strategy, Chief Procurement Manager, Chief Information Officer, and Executive Officer Strategy & Engagement.
3. Includes Works Managers in Regional Maintenance Delivery Branch.
4. Includes Project Engineer, Project Delivery Manager and Maintenance Engineer in Regional Maintenance Delivery Branch.
5. Level 6 and 7 exist as levels within IMS/Transport Equip but have no delegation for ESS workflow (e.g. approving leave or HDA).

Section 5- Delegation Clauses

5. Delegation Clauses

Delegation Clauses have been categorised under Function and Activity and other sub headings as applicable. The delegation clauses are sorted by Function, then Activity. Activities can be spread across a number of Functions so care should be taken to check various Functions for a particular Activity.

All clauses with a \$ value are exclusive of GST, unless otherwise specified.

Note: the delegation clauses must be read in conjunction with the Principles of Delegation and the General Conditions in Section 2 as well as relevant RMS policies.

The delegation clauses follow and are set out under Activity, the delegation clause number, the Delegation Clause (description), the variables that apply to the clause and the delegation level (delegate) and the Division responsible for the clause.

5.1 Administration

5.1.1 Records, Privacy, GIPA Act, Travel, Telephone, Gifts

Adjustment of Records

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	1000	Approval to the adjustment of RMS records for discrepancies at period stock take of small plant stores, materials, equipment and other assets.		
		> \$1000	▪ 1-4	
		≤ \$1000	▪ 1-5	
SAP Record	1005	Approval to create and/or amend a vendor record in IMS.	▪ 1-5	

Access to personal records

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Access to personal records	1007	Authority to grant exceptional access to personal records in case of serious emergency.	<ul style="list-style-type: none"> ▪ Chief Executive ▪ Director, Corporate and Commercial ▪ GM Human Resource Strategy ▪ GM Business Services RMS, TfNSW 	

Air Travel

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Transport Management	1010	Approval to air travel.		
		Outside Australia (with the Minister's concurrence).	▪ Chief Executive	
		Within Australia	▪ 1-4 (Section Manager)	
		Within NSW/ACT where medical reviews requested by Workers compensation require travel by air as the most economical mode of transport.	▪ Senior Claims Analyst, Injury Management & Claims Services ▪ Team Leader Injury Management & Claims Services	
	1015	Approval to hire of plane or helicopter charter for transport purposes.	▪ 1	

Cars and Buses

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Vehicles	1020	Approval to increase Division fleet vehicles.	▪ 1-1	
	1025	Approve any passenger vehicle with an EPS score:		
		Equal or higher than 11.	▪ 1-4	
		Lower than 11.	▪ 1-3	
		Below 9.	▪ 1-1	
	1030	Approve any replacement vehicle with a lower EPS score than the vehicle it is to replace (with a business case).	▪ 1-3	
	1035	Approval to long term home garaging of RMS vehicles other than Salary Sacrifice.	▪ 1-4	
	1037	Approval to hire or charter a bus, with or without a driver, for transport purposes (subject to receipt of necessary insurances and licenses).	▪ 1-3	
	1040	Approval to hire, without driver, VEHICLE of a type in general use in RMS.		
		> 8 weeks	▪ 1-3	
		≤ 8 weeks	▪ 1-5	

Telephones

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	1041	Approval to purchase/lease/replace/upgrade mobile telephones.		
		New and upgraded phones	▪ 1-4	
		Replacement phones	▪ 1-5	
IT Data	1042	Approval to authorise connection of a mobile phone to IDD.	▪ 1-3	

	1045	Approval to authorise connection of a telephone to make STD calls:	
		Configured for calls inside NSW.	▪ 1-4
		Configured for calls outside NSW.	▪ 1-3

Privacy and Government Information (GIPA)

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Privacy and Personal Information Protection Act 1998 and Health Records and Information Privacy Act 2002	1051	Determination of internal review applications.	<ul style="list-style-type: none"> ▪ Legal Counsel ▪ Lawyer ▪ Manager, Information & Privacy ▪ General Manager, Government Information Services ▪ Director, Strategy & Engagement 	
Government Information (Public Access) Act 2009	1056	Making a reviewable decision in connection with access applications under section 9 and 93	<ul style="list-style-type: none"> ▪ Senior Access & Compliance Officer ▪ Manager, Information & Privacy ▪ Legal Counsel (exercisable where the Information & Privacy Unit may have a conflict of interest) ▪ General Manager, Government Information Services 	
	1057	Informal release of government information under section 8	<ul style="list-style-type: none"> ▪ Manager, Information & Privacy ▪ General Manager, Government Information Services ▪ Director, Strategy & Engagement 	
	1058	Proactive release of government information under section 7	<ul style="list-style-type: none"> ▪ Manager, Information & Privacy ▪ General Manager, Government Information Services ▪ Director, Strategy & Engagement 	

	1059	Internal review of decisions under sections 84 and 93	<ul style="list-style-type: none"> ▪ Legal Counsel, ▪ Lawyer, ▪ Manager, Information & Privacy ▪ General Manager, Government Information Services ▪ Director, Strategy & Engagement
	1060	Waive legal professional privilege under clause 5(2) of Schedule 1	<ul style="list-style-type: none"> ▪ Director, Strategy and Engagement
	1061	Determine under section 6(1) that there is an overriding public interest against making open access information publicly available	<ul style="list-style-type: none"> • Level 1
	1062	Determine the exclusion of information from the Government Contracts Register under s.32(1) on the grounds of commercial-in-confidence, public safety or security or there being an overriding public interest against disclosure	<ul style="list-style-type: none"> • Level 1 • Senior Manager Property Sales # <p># only exercisable to exclude the sale or purchase price of real estate before settlement.</p>

Delegation Levels

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Delegation Levels	1065	Changing or assigning delegation levels for specific Positions within IMS. (Delegation levels are assigned to Positions to enable delegations to be exercised by that Position) Form 692 refers.	<ul style="list-style-type: none"> ▪ 1 	

Acceptance of substantial gifts or benefits

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	

Acceptance of substantial gifts or benefits as detailed in RMS policy.	1070	Approval/non-approval	▪ 1	
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5.1.2 Administration- Trucks

General

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant and trucks	1110	Approval to specifications for Plant & Trucks.	▪ Manager Plant & Truck Hire	
	1120	Approval to Engineering Change Notices or modifications prior to supply and acceptance of Plant or Trucks.	▪ Manager Plant & Truck Hire	
	1130	Approval to registration of individual RMS Fleet Items when purchased including CTP as required.	▪ Manager Plant & Truck Hire	
	1140	Approval to registration for RMS Fleet items, including CTP as required on Annual registration common expiry date.	▪ Manager Plant & Truck Hire	

Records

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1150	Approval to bulk renew registrations for Plant & Trucks.	▪ Manager Plant & Truck Hire	
	1160	Approval to register one-off fleet items on an ad-hoc basis.	▪ Unit Manager	
	1170	Approval to adjustment of RMS Records for Hand tools lost or stolen from plant items/tool kits from major plant or trucks.	▪ Workshop Area Manager	
	1180	Approval to adjustment of Records in respect of Major Plant and Trucks reported to Police as having been stolen.	▪ Manager Plant & Truck Hire	
	1190	Approval to adjustment of RMS Records in respect of disposal of or modifications to Major Plant and Trucks.	▪ Manager Plant & Truck Hire	

Acquisition

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	

Plant & Trucks	1210	Approval to invite and accept tenders or quotations for Plant or Trucks > \$150,000.	▪ Fleet Services Manager	
	1220	Approval to invite and accept tenders or quotations for Plant or Trucks to \$150,000.	▪ Manager Plant & Truck Hire	

Modifications

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1230	Approval to modifications on Plant or Trucks (major capital modifications needing BIRC approval).	▪ Fleet Services Manager	
	1240	Approval to modifications on Plant or Trucks.	▪ Manager Plant & Truck Hire	
	1250	Approval to modifications of an expense type on Plant or Trucks.	▪ Manager Plant & Truck Hire	

Hire

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1260	Determination of plant hire charges.	▪ Fleet Services Manager	
	1270	Determine plant hire charges for individual plant items.	▪ Manager Plant & Truck Hire	
	1280	Hire of Plant and Trucks to outside bodies.	▪ Manager Plant & Truck Hire	
	1290	Approval to the hire of plant and equipment up to 12 months where quotations have been obtained by advertisement.	▪ Unit Manager	
	1310	Approval to the hire of plant and equipment up to one month in cases of emergency where suitable plant is not available from the annual quotations and verbal quotations have been obtained.	▪ Unit Manager	

Maintenance

Accident

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1320	Approval to accident repairs to fleet plant >\$5,000 and up to NSW Treasury Managed Fund Limit as advised by Manager, Banking and Insurance.	▪ Manager Plant & Truck Hire	
	1330	Approval to accident repairs to fleet plant to <\$300 all claims and <\$5,000 for claims not involving claims for damage to third party property.	▪ Fleet Inspector	
	1340	Approval to accident repairs to fleet plant to <\$300 all claims and <\$1,000 for claims not involving claims for damage to third party property.	▪ Workshop Area Manager	

Servicing/Repair Estimates

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1350	Approval to servicing of Fleet Plant & Trucks.	▪ Fleet Inspector ▪ Workshop Area Manager	
	1360	Approval to over expenditure on repairs to fleet plant and trucks.	▪ Manager Plant & Truck Hire	
	1370	Approval to purchase by Local Order for urgent fleet repairs >\$1,000.	▪ Workshop Supervisor ▪ Workshop Area Manager	
	1380	Approval to estimates for repair costs on Fleet Plant & Trucks – Unlimited.	▪ Fleet Services Manager	
	1390	Approval to estimates for repair costs on Fleet Plant & Trucks - up to \$50,000.	▪ Manager Plant & Truck Hire	
	1410	Approval to estimates for repair costs on Fleet Plant & Trucks - up to \$20,000.	▪ Project Manager Plant & Truck ▪ Manager Workshops ▪ Fleet Inspector ▪ Maintenance Information Officer	
	1420	Approval to estimates for repair costs on Fleet Plant & Trucks - up to \$10,000 or 20 Hours.	▪ Workshop Area Manager	

Servicing/Repairs- Purchases

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	

Plant & Trucks	1430	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) – Unlimited.	▪ Fleet Services Manager	
	1440	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$50,000.	▪ Manager Plant & Truck Hire	
	1450	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$20,000.	▪ Fleet Inspector ▪ Manager Workshops ▪ Project Manager Truck & Plant	
	1460	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$10,000.	▪ Workshop Area Manager ▪ Ferry & Bitumen Engineer	
	1470	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$5,000.	▪ Workshop Supervisor	
	1480	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$1,500.	▪ Workshop Team Leader ▪ Serviceman ▪ Remote Tradesperson ▪ Ferry Maintenance Supervisor	
	1490	Approval to purchase parts for repairs to fleet plant and trucks (other than accident repairs to fleet plant) - up to \$1,000.	▪ Mechanical Tradesperson ▪ Fleet Apprentice	

Disposal

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Plant & Trucks	1510	Approval to dispose of major plant and motor vehicles by sale at public auction or public invitation to \$50,000.	▪ Fleet Services Manager	
	1520	Approval to accept trade-in offers for Plant or Trucks.	▪ Manager Plant & Truck Hire	

5.2 Non-Construction Contracts/Procurement

Notes:

A. These contract clauses are for **general** purchasing, procurement and

contracts. For delegations in respect of construction related procurement and contracts refer to *section 5.5 – Infrastructure*.

B. Procurement must be undertaken in accordance with:

- Procurement Policy PN195
- The Procurement Manual and
- *PN081 Purchasing and Invoice Policy*

available on the intranet.

C. 'Fixed assets' are items that are included in the RMS's Fixed Asset Register and are defined as items valued at \$10,000 or more with useful lives of two or more years.

D. 'Goods and services' are items that are procured that do not fall within the definition of 'fixed assets'.

E. For all purchases, the same delegate cannot approve incurring expenditure and authorise payment.

5.2.1 Consultants and Contracts

Consultants

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Contract Consultants	2000	Approval to the engagement of Consultants' services.		
		> \$1,000,000 with <i>Minister's concurrence</i> .	▪ Chief Executive	
		≤ \$1,000,000.	▪ Chief Executive	

Contracts- General (Includes all price and variations), (Excludes Inventory, Goods and Services for Direct Work and Fixed assets)

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing/ Contracts	2005	Purchasing/Contracts		
		\$0 – \$30,000	▪ 1-6	
		\$30,001 – \$250,000	▪ 1-5	
		\$250,001 – \$500,000	▪ 1-4	
		\$500,001 – \$1,000,000	▪ 1-3	
		>\$1,000,000	▪ 1	
	2006	Approval to issue letter of acceptance on formal contract		
		≤\$1,000,000	▪ 1-3	
>\$1,000,000		▪ 1		

Contracts- Execution

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	

Contracts-General	2010	Approval to execution of formal contract documents.		
		> \$1,000,000.	▪ 1	
		≤ \$1,000,000.	▪ 1-3	

Contract- Payments

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	2012	Authorisation of payment of moneys in accordance with terms of contract >\$250,000.	▪ 1-5	
	2013	Authorisation of payment of moneys in accordance with terms of contract <\$250,000.	▪ 1-6	

5.2.2- Purchasing of Goods and Services

Inventory

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	2020	Approval to purchase inventory for replenishment.		
		> \$200,000	▪ 1-4	
		≤ \$200,000	▪ 1-5	
		≤ \$50,000	▪ 1-6	
	2025	Approval to issue of stores, materials from inventory.	▪ 1-6	

Goods and Services for Direct Works

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	2035	Approval to purchase by acceptance of quotation for Goods and Services for direct works.		
		> \$30,000	▪ 1-5	
		≤ \$30,000	▪ 1-6	
	2040	Approval to purchase without quotation by ≤ \$5,000	▪ 1-6	
		Approval to purchase without quotation by ≤ \$5,000 using an RMS Purchasing Card	▪ 1-7	

Fixed Assets

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	2045	Approval to purchase Fixed Assets - is currently under review. Contact Financial Manager, Reporting & Assets for advice.		

Purchasing of Goods and Services- payments, fees and charges

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	

Payments	2050	Authorisation of payment of accounts for goods and services, wages, haulage and hired plant pursuant to Section 13 of the <i>Public Finance & Audit Act, 1983</i> . This is provided that: the delegate has as a function of the job and duties the management oversight and or the responsibility for the payment of accounts.	▪ 1-6	
	2055	Approval to enter into payment of ongoing maintenance and service contracts/agreements and repairs to office equipment or plant (except computing or communications equipment).	▪ 1-5	
	2060	Approval to miscellaneous expenditure on items or services not specifically provided for within the budget.		
		> \$10,000	▪ 1-3	
		≤ \$10,000	▪ 1-4	
		≤ \$5,000	▪ 1-5	
	2065	Approval to disbursement of refund of Security Deposits, Bank Guarantees etc. subject to satisfactory completion of work/service.	▪ 1-4	
	2070	Approval to award a penalty interest payment to a supplier.	▪ GM Business Services RMS, TfNSW	

Purchasing of Goods and Services- variations and exemptions

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Purchasing	2080	Approval to extend order time including waiving of overtime deductions for the supply except where the lowest tender was not accepted because of favourable delivery times.	▪ 1-4	
	2085	Approve a procurement exemption or variation (for example waive the requirement for a public tender).	▪ 1-1 (subject to reporting the exemption or variation to the Chief Executive and the NSW Procurement Board)	

Disposal of Goods

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Disposal	2090	Approval to disposal of surplus unserviceable goods excluding motor vehicles.		
		By transfer to another Public Service Agency.	▪ 1-5	
		Destruction where the items are of no value.	▪ 1-5	
		Negotiated sale or verbal quotes up to \$5,000.	▪ 1-6	
		Auction, written quotes or tenders \$5,000 – \$250,000.	▪ 1-5	
		Greater than \$250,000	▪ 1-4	

Taxi Hire and Payment

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Taxi Hire	2095	Approval to:		
		Annual approval to expend funds on behalf of RMS for Cab Charge usage	▪ Director, Corporate and Commercial ▪	
		Create a Cab Charge Australia Account	▪ Transport Shared Services Functional General Manager	
		Approval to reorder stocks of Cab Charge eTickets for issuing to RMS employees	▪ TSS 1-5	
		Approval to travel by taxi	▪ 1-6	
		Approval to pay Cab Charge monthly accounts	▪ 1-6	

5.3 Financial and Property

Notes:

- A. Any proposal to vary budgets between specific programs or funding categories must be forwarded to the relevant Program Directors for approval.
- B. The extent of funds available is approved by the Chief Executive through the budget process on advice from Program Directors.
- C. Any proposal to vary budgets between specific programs or funding categories must be in accordance with those variations agreed in the relevant Service Level Agreements. Any other variations require Program Director(s) or Chief Executive approval.

5.3.1 Financial Management

Banking

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Banking	3000	Approval to investment of monies in terms of Section 24 and Schedule 4 of the <i>Public Authorities Act, 1987</i> .	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3001	Open and close accounts subject to the directions and policies of Treasury	<ul style="list-style-type: none"> ▪ CFO ▪ GM Group Financial Controller 	
	3002	Approve or sign of any banking products and services documentation (other than opening or closing any bank account)	Any two of the following acting jointly: <ul style="list-style-type: none"> ▪ CFO ▪ GM, Group Financial Controller ▪ GM, Financial and Business Performance 	
	3005	Authority to carry out functions attributable to RMS's loan portfolios.	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3010	Approval to redeem moneys invested under Section 144 <i>Public Authorities Act, 1987</i> .	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3015	Approval to request information from RMS's banker.	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking ▪ 	

	3020	Authority to certify the officers who are authorised to sign cheques on RMS's bank accounts	<ul style="list-style-type: none"> ▪ GM, Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking ▪ Verifying Officers 	
	3025	Approval to State Treasury Crown Journals.	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3030	Approval of variation in Forecast Cash flows from Cost Centres unlimited.	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3035	Approval of variation in Forecast Cash flows from Cost Centres > \$200,000.	<ul style="list-style-type: none"> ▪ GM, Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	

Budgeting

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Budgets	3040	Approval to variations within approved resource budget categories.	<ul style="list-style-type: none"> ▪ 1-4 	
	3045	Approval to variations within approved budgets for specific programs i.e. Road Development, Road Management, Road Use, Customer Service and Road Safety.	<ul style="list-style-type: none"> ▪ Chief Operating Officer ▪ Chief Financial Officer ▪ Director, Asset Maintenance ▪ Director, Customer and Compliance ▪ Director, Corporate and Commercial 	
	3050	Approval to vary programs within approved budgets for funding categories.	<ul style="list-style-type: none"> ▪ Chief Operating Officer ▪ Chief Financial Officer ▪ Director, Asset Maintenance ▪ Director, Customer and Compliance ▪ Director, Corporate and Commercial 	

Credit/Purchase Cards

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Banking	3055	Approval to: Request a new Purchase Card for: <ul style="list-style-type: none"> • Delegate with Delegation Level 0-6 • Delegate with Delegation Level 7 Issue a purchase card Approval to purchase card limits Cash withdrawal Internet purchases	<ul style="list-style-type: none"> ▪ 1-4 ▪ 1 ▪ GM Procurement Services * ▪ GM Procurement Services * ▪ Director, Corporate and Commercial ▪ 1-1 * Transport Shared Services (TSS) position	

Debt Recovery

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Debt Recovery		[Write off irrecoverable debt in accordance with Treasurer's Directions 450 and 455]	[Refer to Minister's delegation to RMS and TSS staff]	
	3065	Approval to waiving of Tow Away Charge in accordance with approved guidelines.	<ul style="list-style-type: none"> ▪ GM Finance, Asset and Workplace Services * * Transport Shared Services (TSS) position	
	3070	Reversal of invoice for use of infringement notices for unpaid Tollway charges	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ GM Finance, Asset and Workplace Services * * Transport Shared Services (TSS) position	

	3075	Approval to execute proof of debt and exercise powers under the <i>District Court Act, 1973</i>	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ GM Finance, Asset and Workplace Services * ▪ Legal Counsel <p>* Transport Shared Services (TSS) position</p>	
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Payments- General

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3080	Approval to payment from Public Monies Account	<ul style="list-style-type: none"> ▪ GM, Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking ▪ 	
	3085	Approval to refund of overpayments to RMS (other than salaries).	▪ 1-4	

Grants and Contribution Payments

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Grant Commitments	3086	Approval to raise purchase order for Grant commitments in accordance with the terms of Treasury instructions and Grant Agreement:		
		> \$1,000,000	▪ 1-4	
		≤ \$1,000,000	▪ 1-5	
	3087	≤ \$150,000	▪ 1-6	
		Approval to certify payments of Grants of Public Monies in accordance with terms of Agreement		
		> \$150,000	▪ 1-4	
		≤ \$150,000	▪ 1-5	

Payments- Cash/Petty Cash

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3090	Approval to applications by cashiers to waive cash shortages to maximum \$500.	<ul style="list-style-type: none"> 1-3 Sector Managers, Customer Service 	
	3095	Approval to establish permanent Petty Cash Advance.	<ul style="list-style-type: none"> GM Group Financial Controller 	
	3100	Approval to expenditure on Petty Cash to \$100.	<ul style="list-style-type: none"> 1-6 	

Payments- Disbursements*Employment*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3105	Approval to disbursement of Payroll Deductions	<ul style="list-style-type: none"> Team Leader Payroll * <p>* Transport Shared Services (TSS) position</p>	

Tax

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3110	Approval to disbursement of Goods & Services Tax to Australian Taxation Office.	<ul style="list-style-type: none"> GM Group Financial Controller 	
	3115	Approval to disbursement of pay as you go (PAYG) tax.	<ul style="list-style-type: none"> Manager Payroll * Team Leader Payroll * <p>* Transport Shared Services (TSS) position</p>	

Tax, continued

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
	3120	Approval to disbursement of: Payroll Tax; PAYG Summaries; Payroll Tax Return; Superannuation Guarantee Charge; Sales Tax Fringe Benefit; Group Tax – Consultants.	<ul style="list-style-type: none"> ▪ Manager Payroll * ▪ GM, Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking <p>* Transport Shared Services (TSS) position</p>	
	3121	Approval to disbursement from the Waterways Fund for operating expenditure included in Maritime Services Division budget for Goods and Services Tax (GST), Pay As You Go tax (PAYG), Superannuation Guarantee charge and Payroll.	<ul style="list-style-type: none"> ▪ GM Group Financial Controller ▪ Financial Controller, Safety & Compliance 	
	3125	Approval to disbursement of Group Tax – General.	<ul style="list-style-type: none"> ▪ GM, Group Financial Controller ▪ Finance Manager, Treasury, Taxation & Banking 	
	3130	Approval to disbursement of overseas drafts and telegraphic transfers.	<ul style="list-style-type: none"> ▪ Finance Manager, Treasury, Taxation & Banking 	

Regulation and licensing

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3135	Approval to disbursement of Registration and Licensing Refund Cheques.	<ul style="list-style-type: none"> ▪ Principal Manager Accounts Payable * <p>* Transport Shared Services (TSS) position</p>	
	3136	Approval to disbursement of daily cash floats for Motor Registries.		
		<\$150,000	<ul style="list-style-type: none"> ▪ Principal Manager Receivable & Revenue Accounting * <p>* Transport Shared Services (TSS) position</p>	

		<\$250,000	<ul style="list-style-type: none"> General Manager, Finance, Asset and Workplace Services * <p>* Transport Shared Services (TSS) position</p>	
	3140	Approval to disbursement of Fees, Taxes, Duties etc ex DRIVES Collection.	<ul style="list-style-type: none"> GM, Group Financial Controller Finance Manager, Treasury, Taxation & Banking General Manager, Finance, Asset and Workplace Services * <p>* Transport Shared Services (TSS) position</p>	

SAP – Vendor Creation

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Payments	3142	Approval to create and or/amend a Vendor Record in SAP (Form 681).	<ul style="list-style-type: none"> 1-5 	

5.3.2 Road Related Property Activities Undertaken by Infrastructure Development Division (IDD)

This section (5.3.2) applies solely to road related property activities undertaken by the Infrastructure Development Division. Delegations for this section are identified against the relevant staffing position across the top and the specific activity, and its associated dollar value, in the left-hand column.

Activity	No.	Senior Acquisition Officer	Property Acquisition Manager	Valuations & Acquisition Manager	Infrastructure Property Manager	Principal Manager Infrastructure Property	Principal Surveyor	General Manager Project Development	General Manager Contract Management Office	General Manager Regional Maintenance Delivery	Director Infrastructure Development	Chief Operating Officer	Chief Executive Reserved Functions
Property Acquisition													✓
Approval to acquire Property:-													
Owner Initiated Just Terms (Hardship) ³	3200					✓						✓	
Preferred Option Policy ³	3205					✓						✓	
Road Related Ahead of Program (Strategic) ³	3210							✓	✓	✓	✓	✓	
Exceptional Hardship Policy ³	3215												
Programmed Roadworks ¹	3220				✓	✓						✓	
Approval for the payment of Part or Total Compensation for Land Acquisition for the GST exclusive amounts below:-													
In excess of \$50 Million	3225												
Up to and including \$50 Million	3230										✓	✓	
Up to and including \$20 Million	3235							✓				✓	
Up to and including \$10 Million	3240					✓						✓	
Up to and including \$5 Million	3245			✓	✓							✓	
Up to and Including \$2 Million	3250		✓									✓	
Land Exchange													
Approval to include RMS land (whether owned or to be acquired) as part of compensation for acquisitions of land (LAND EXCHANGE) where the land has a value of:-													
Up to \$5 Million ²	3255					✓						✓	
Up to and including \$10 Million ²	3260							✓				✓	
Up to and including \$20 Million ²	3265										✓	✓	
In excess of \$20 Million ²	3270												
Approval of Terms and Execution of Agreements / Documents for :-													✓
RMS acquisition and sale of property (Subject to delegation limits above) ¹	3275		✓	✓	✓	✓						✓	
Property Management													
Approval to demolition of Property for road project purposes	3280			✓	✓	✓						✓	
Approval to payment of individual costs associated with management of residue properties up to \$100,000	3285				✓	✓						✓	
Approval to payment of individual costs associated with administration of land within the road corridor up to \$50,000	3290				✓	✓						✓	
Approval to payment of individual costs associated with administration of land within the road corridors in excess of \$100,000	3295					✓						✓	

Activity	No.	Senior Acquisition Officer	Property Acquisition Manager	Valuations & Acquisition Manager	Infrastructure Property Manager	Principal Manager Infrastructure Property	Principal Surveyor	General Manager Project Development	General Manager Contract Management Office	General Manager Regional Maintenance Delivery	Director Infrastructure Development	Chief Operating Officer	Chief Executive Reserved Functions
Property Administration Granting Rights													
Approve, Authorise, Execute Documents relating to:-													
Issue Certificates (Consolidate Titles)	3300				✓	✓						✓	
Register Plans, Easements and Instruments	3305				✓	✓	✓					✓	
Create and Release Easements	3310			✓	✓	✓						✓	
Create and Release Covenants	3315			✓	✓	✓						✓	
Deed of Release or Deed of Agreement	3320			✓	✓	✓						✓	
Authorise production of CT's from LPI	3325						✓					✓	
Minor Amendments to approved Road Boundaries	3330			✓	✓	✓						✓	
Approval to lodge documents and Execute applications for Development Consent on behalf of RMS as Property owner	3335			✓	✓	✓						✓	
Approval to grant Land owner's consent on behalf of RMS to lodgement of development applications by 3rd parties including RMS Property	3340				✓	✓						✓	
Property Disposal													
Approve total expenditure relating to preparation of Property for disposal within an approved budget	3345				✓	✓						✓	
Authority to declare property surplus to RMS road requirements	3350				✓	✓						✓	
Leasing and Licensing													
Approval of terms, consideration and execution of leases, licences, variation and termination of Leases and associated documents including permissive occupancies where RMS is the tenant or landlord and the property is required for Road work activities	3355		✓	✓	✓							✓	
Compulsory Acquisition													
Settlement of compensation pursuant to the Land Acquisition (Just Terms Compensation) Act 1991 up to \$10 Million	3360					✓						✓	
Settlement of compensation pursuant to the Land Acquisition (Just Terms Compensation) Act 1991 over \$10 Million	3365										✓	✓	
Miscellaneous Fees and Charges Relating to Infrastructure Property													
Approval to fees and charges for professional services to RMS up to \$50,000.	3370	✓	✓	✓								✓	
Approval to fees and charges for professional services to RMS over \$50,000	3375				✓	✓						✓	
Other Miscellaneous Fees and Charges	3380			✓	✓	✓						✓	

- Road Project Managers are to provide written advice to the Infrastructure Property Manager or Principal Manager Infrastructure Property confirming concurrence by the relevant General Manager to the proposed project & initiating of acquisition.
- Memo required to Senior Manager Property Sales & Principal Manager Property seeking comment and advising of relevant acquisition circumstances and probity issues prior to the inclusion of RMS property in any offer to a landowner as part compensation for the acquisition of land. Land Exchanges are to be reported by IDD to the RMS Property Executive Sub-Committee.

Activity	No.	Property Acquisition Manager	Valuations & Acquisition Manager	Infrastructure Property Manager	Principal Manager Property	General Manager Project Development	Director, Infrastructure Development	Chief Operating Officer
Value / Individual Amount of Legal Fees		≤ \$10K	≤ \$100K	≤ \$100K	≤ \$250K	≤ \$1M	≥ \$1M	≥ \$1M
Engagement of external lawyers from a Roads and Maritime Services' property/conveyancing panel for the sale and purchase of interests in land, and leasing and licensing matters.	3385	✓	✓	✓	✓	✓	✓	✓

5.3.3 Property Acquisition Activities Undertaken by Corporate and Commercial Division

This section (5.3.3) applies to property acquisition related activities undertaken by the Property Branch within Corporate and Commercial Division. Delegations for this section are identified against the relevant staffing position across the top of the table, and the dollar value (\$) highlighted in grey, and the specific activity in the left-hand column. Delegations in this section are also subject to ICAC & government guidelines regarding direct negotiations & disposal of property.

Activity	No.	Manager C. A. & R. D. &/or Manager Acquisition Policy & Litigation	Senior Manager Property Sales	Senior Manager Property Compliance	Principal Manager Property	Director – Corporate and Commercial	Chief Executive Reserved Functions
Acquisitions		≤ \$1M	≤ \$2M	≤ \$2M	≤ \$5M	< \$20M	≥ \$20M
Non-Road Property	3400	✓		✓	✓	✓	✓
Approval to utilise RMS land (whether owned or to be acquired) as part compensation for the acquisition of land (Land Exchange) ¹	3405	✓	✓	✓	✓	✓	✓
Miscellaneous Fees & Charges	3410	✓		✓	✓	✓	✓
Execution of Agreements / Documents							
RMS is Licensor or Lessor	3415	✓	✓	✓	✓	✓	✓
RMS Road Projects	3420	✓	✓	✓	✓	✓	✓
RMS Non-Road Projects	3425	✓	✓	✓	✓	✓	✓
		Manager Compulsory Acquisition and Road Dedication	Manager Acquisition Policy & Litigation	Senior Manager Property Compliance	Principal Manager Property	Director – Corporate and Commercial, Chief Operating Officer	Chief Executive Reserved Functions
Compulsory Acquisitions [Just Terms] & Road Corridor Administration [Roads Act]		RMS's pre-compulsory acquisition offer or Valuers General's determination (\$)	RMS's pre-compulsory acquisition offer or Valuers General's determination (\$)	RMS's pre-compulsory acquisition offer or Valuers General's determination (\$)	≤ \$5M	< \$20M	≥ \$20M
		plus	plus	plus			
		10% or < = \$50,000, plus costs	10% or < = \$250,000, plus costs	10% or < = \$750,000, plus costs			
		OR	OR	OR			
		Court's determination, plus costs (\$)	Court's determination, plus costs (\$)	Court's determination, plus costs (\$)			
Settlement of Compensation and Costs	3430	✓	✓	✓	✓	✓	✓
Agreements/Documents/Instruments ²	3435	✓	✓	✓	✓	✓	✓
Agreements/Documents/Instruments ³	3440	✓		✓	✓	✓	✓
Terms of rent ⁴	3445	✓		✓	✓	✓	✓

1. Memo required to Senior Manager Property Sales & Principal Manager, Property seeking comment and advising of relevant acquisition circumstances and probity issues prior to the inclusion of RMS property in any offer to a landowner as part compensation for the acquisition of land. Land exchanges are to be reported by IDD to the RMS Property Executive Sub-Committee.
2. To execute dealings, instruments, deeds of release, undertaking or agreement and any other documents associated with resumptions or compulsory acquisitions including the consolidation or issue of titles.
3. To execute notices and orders under Sections 10, 25, 27, 37, 45 and 159 of Roads Act; letters foreshadowing compulsory acquisition and notices (including PANs, acquisition and compensation notices) under Sections 11, 16, 19 and 42 of Just Terms Act.
4. To approve terms of rent for continuation of occupation property following compulsory acquisition.

5.3.4 Property Management Activities Undertaken by Corporate and Commercial Division

This section (5.3.4) applies to property management related activities undertaken by the Property Branch within Corporate and Commercial Division. Delegations for this section are identified against the relevant staffing position across the top of the table, the dollar value (\$) and time period affecting the activity (highlighted in grey), and the specific activity in the left-hand column. The delegation is up to the dollar value amount or its associated time frame, whichever threshold is achieved first.

Activity	No.	Senior Leasing Manager	Senior Manager Property sales	Senior Manager Property Strategy & Planning	Senior Managers: Customer & Property Management; & Senior Manager Commercial Tenure	Senior Manager Property Compliance	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Functions
Demolition of Property									≥ \$2M
Value ⁵		≤ \$100K	≤ \$200K	≤ \$200K	≤ \$200K	≤ \$200K	≤ \$500K	< \$2M	
Road Construction Purposes	3500	✓	✓	✓	✓	✓	✓	✓	
Other	3505	✓	✓	✓	✓	✓	✓	✓	✓
Leasing & Licencing									≥ \$2M
Annual Rental Or Cost Or Value &/or Term including Options		≤ \$100K	≤ \$200K	≤ \$200K	≤ \$500K	≤ \$200K	≤ \$750K	< \$2M	
		≤ 5 Years	≤ 10 Years	≤ 10 Years	≤ 20 Years	≤ 10 Years	≤ 20 Years	< 30 Years	
Approve for Use & Execute All Documents									≥ 30 Years
Road Construction Purposes	3510	✓			✓		✓	✓	
Other	3515	✓	✓	✓	✓		✓	✓	
Variation and Termination of Leases	3520	✓		✓	✓		✓	✓	✓
Approve & Execute Proof of Debt	3525		✓	✓	✓	✓	✓	✓	✓
Recover Possession of Premises, or Property, or Land ⁶	3530				✓	✓	✓	✓	✓
Recommendation to Write-Off Debt (refer to organisational-wide Delegations)	3535				✓	✓	✓	✓	✓
Compromise Debt Settlement	3540				✓	✓	✓	✓	✓
Individual Costs of Main & Repair	3545	✓	✓	✓	✓		✓	✓	✓
Development Consent [PTL]									✓
Road Projects	3550	✓	✓ ⁵	✓	✓		✓	✓	
Non-Road Projects	3555		✓ ⁵	✓	✓		✓	✓	

5. Refers to surplus land only.
6. Following receipt of advice form Legal Branch on the appropriate process.

5.3.5 Property Administration Activities Undertaken by Corporate and Commercial Division

This section (5.3.5) applies to property administration related activities undertaken by the Property Branch within Corporate and Commercial Division. Delegations for this section are identified against the relevant staffing position across the top of the table, and the dollar value (\$) highlighted in grey, and the specific activity in the left-hand column.

Activity	No.	Manager Compulsory Acquisition & Road Dedication; and Manager Acquisition Policy & Litigation	Senior Managers: Property, Strategy & Planning; Customer & Property Management; Property Sales; Property Compliance; Commercial Tenure & Development	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Functions
Value / Individual Amount		≤ \$10K	≤ \$30K	≤ \$100K	< \$500K	≥ \$500K
Approval To Execute:						
Bring Land under Real Property Act	3600		✓	✓	✓	✓
Issue Certificates [Consolidate Titles]	3605	✓	✓	✓	✓	✓
Register Plans & Easements	3610	✓	✓	✓	✓	✓
Create & Release Easements	3615	✓	✓	✓	✓	✓
Create & Release Covenants	3620	✓	✓	✓	✓	✓
Deeds of Release or Deeds of Agreement	3625	✓	✓	✓	✓	✓
Authorise production of CTs from LPI	3630	✓	✓	✓	✓	✓
Minor amendments to approved Road Boundaries	3635				✓	✓
Costs of Administration	3640	✓	✓	✓	✓	✓
Permission to Lodge Development Application - Landowners Consent	3650	✓	✓	✓	✓	✓

Activity	No.	Property Sales Manager Compliance Manager	Senior Manager Major Property Developments	Senior Managers: Property, Strategy & Planning; Customer & Property Management; Property Sales; Property Compliance; Commercial Tenure & Development	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Funtions
Value / Individual Amount of Legal Fees		≤ \$10K	≤ \$100K	≤ \$100K	≤ \$250K	≤ \$1M	≥ \$1M
Engagement of external lawyers from a Roads and Maritime Services' property/conveyancing panel for the sale and purchase of interests in land, and leasing and licensing matters.	3660	✓		✓	✓	✓	✓

5.3.6 Property Disposal and Sales Activities Undertaken by Corporate and Commercial Division

This section (5.3.6) applies to property disposal and sales related activities undertaken by the Property Branch within Corporate and Commercial Division. Delegations for this section are identified against the relevant staffing position across the top of the table, and the dollar value (\$) highlighted in grey, and the specific activity in the left-hand column.

Activity	No.	Property Sales Managers	Senior Manager Property Sales	Senior Manager Major Property Developments	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Functions
Sale Value		N/A	≤ \$3M	≤ \$3M	≤ \$5M	< \$20M	≥ \$20M
Property Disposal							
Authority to Declare Surplus - Road Projects	3700					✓	✓
Authority to Declare Surplus - Non-Road	3705		✓		✓	✓	✓
Approve Disposal and/or Sale Strategy ⁷	3710		✓	✓	✓	✓	✓
Set Reserve Price	3715		✓	✓	✓	✓	✓
Dispose = or > 95% of Reserve	3720		✓	✓	✓	✓	✓
Dispose by Private Treaty property capable of independent development that might otherwise be sold by a public process ⁸	3725					✓	✓
Dispose by Private Treaty after public process	3730		✓		✓	✓	✓
Dispose of property not capable of independent development e.g. Landlocked Land limited potential widening strips	3735		✓		✓	✓	✓
Dispose where Sale Price set by VG	3740		✓		✓	✓	✓
Approve & Execute All Documents	3745		✓		✓	✓	✓
Disposal Administration							
Value / Individual Amount		≤ \$10K	≤ \$100K	≤ \$100K	≤ \$250K	≤ \$1M	≥ \$1M
Disposal Costs of Sale Preparation (including, legal, conveyancing, surveying, valuations etc)	3750	✓	✓		✓	✓	✓
Per Procurement Policies							
Disposal Costs of Sale Preparation	3755	✓	✓	✓	✓	✓	✓

7. Disposal of property should be primarily by public process e.g. auction, tender, call for expressions of interest.
8. Minister and Treasurer's Approval is required.

NSW ICAC EXHIBIT

5.3.7 Maritime Property Activities Undertaken by Corporate and Commercial Division

This section (5.3.7) applies to activities related to maritime property undertaken by the Property Branch within Corporate and Commercial Division. Delegations for this section are identified against the relevant staffing position across the top of the table, the dollar value (\$) and time period affecting the activity (highlighted in grey), and the specific activity in the left-hand column. The delegation is up to the dollar value amount or its associated time frame, whichever threshold is achieved first.

Activity	No.	Manager Survey (Maritime Operational Capability)	Senior Leasing Manager	Senior Manager Property sales	Senior Managers: Customer & Property Management; and Commercial Tenure & Development	Senior Manager Property, Strategy & Planning	Senior Manager Major Property Developments	Senior Manager Property Compliance	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Functions
Annual Rental Or Cost Or Value &/or Term including Options		N/A	≤ \$100K	≤ \$200K	≤ \$500K	≤ \$200K	≤ \$500K	≤ \$200K	≤ \$750K	< \$2M	≥ \$2M
		N/A	≤ 5 Years	≤ 10 Years	≤20 Years	≤ 10 Years		≤ 10 Years	≤ 20 Years	< 30 Years	≥ 30 Years
Approve for Use & Execute All Docs											
Road Construction Purposes	3800		✓		✓				✓	✓	✓
Other	3805		✓	✓	✓	✓			✓	✓	✓
Approve & Execute Proof of Debt	3810			✓	✓	✓		✓	✓	✓	✓
Recover Possession of Premises, or Property, or Land ⁹	3815				✓			✓	✓	✓	✓
Write-Off Debt	3820				✓			✓	✓	✓	✓
Compromise Debt Settlement	3825				✓			✓	✓	✓	✓
Individual Costs of Main & Repair	3830		✓	✓	✓	✓			✓	✓	✓
Maritime Specific											
Approve/ Request & Accept:											
Capital Project Budgeted Item	3835						✓		✓	✓	✓
Variation to a Capital Project	3840						✓		✓	✓	✓
Tenders & Quotes for a Capital Project	3845						✓		✓	✓	✓
Source & Negotiate:											
Property Purchase	3850					✓	✓		✓	✓	✓
Approve & Execute Leases/Licences and associated documents for:											
Leasing of Wetland or Dryland	3855		✓		✓	✓			✓	✓	✓
Sale or Purchase of Property	3860			✓		✓			✓	✓	✓
Variation and Termination of Leases	3865		✓		✓	✓			✓	✓	✓
Approve:											
Restriction of Credit	3870				✓	✓		✓	✓	✓	✓
Refunds	3875				✓	✓		✓	✓	✓	✓
Waive or Adjust Fees or Charges	3880				✓	✓		✓	✓	✓	✓
Statutory:											
Grant construction approval under Marine Legislation	3885					✓	✓		✓	✓	✓
Exercise voting rights at Committee and Association meetings including under Strata Schemes	3890		✓		✓	✓			✓	✓	✓

9. Following receipt of advice form Legal Branch on the appropriate process.

Activity	No.	Manager Survey (Maritime Operational Capability)	Senior Leasing Manager	Senior Manager Property sales	Senior Managers: Customer & Property Management; and Commercial Tenure & Development	Senior Manager Property, Strategy & Planning	Senior Manager Major Property Developments	Senior Manager Property Compliance	Principal Manager Property	Director Corporate and Commercial	Chief Executive Reserved Functions
Annual Rental Or Cost Or Value &/or Term including Options		N/A	≤ \$100K	≤ \$200K	≤ \$500K	≤ \$200K	≤ \$500K	≤ \$200K	≤ \$750K	< \$2M	≥ \$2M
		N/A	≤ 5 Years	≤ 10 Years	≤20 Years	≤ 10 Years		≤ 10 Years	≤ 20 Years	< 30 Years	≥ 30 Years
Maritime Survey and Spatial Specific Delegations ¹⁰											
Exercise the function of Roads and Maritime Services to approved definitions of Mean High Water Mark on Roads and Maritime Services' land and sign the relevant endorsement on plans as required by the Registrar-General	3895	✓									
Endorse Deposited Plans drawn for the sub-division of land owned by Roads and Maritime Services after checking that all statutory requirements have been met and provided that any required professional qualifications are held	3896	✓									
Endorse Deposited Plans drawn for long-term leases or other tenure documents over Roads and Maritime Services' land after checking that all statutory requirements have been met provided that any required professional qualifications are held	3897	✓									
Endorse documentation associated with easements	3898	✓									

10. Manager Survey, NSW Maritime Division (a registered surveyor); or In the event the Manager Survey is not the delegate – a registered surveyor in the NSW Maritime Division Survey team; or In the event that a delegate from outside NSW Maritime Division must be a delegate – a registered surveyor outside NSW Maritime who has prior consent from the Manager Survey, NSW Maritime Division.

5.3.8 Facility Management Activities Undertaken by People and Corporate Services Division of Transport for New South Wales

This section (5.3.8) applies to activities related to Roads and Maritime Services property undertaken by the Asset Management and Workplace Services Section of Transport Shared Services within the People and Corporate Services Division of Transport for New South Wales. Delegations for this section are identified against the relevant staffing position across the top and the specific activity, and its associated dollar value, in the left-hand column.

Activity	No.	Planning Officer, TSS	Leasing Officer, TSS	Property Officer, TSS	Property Project Manager, TSS	Manager Property Strategy & Planning, TSS	Manager Portfolio Management Property Portfolio, TSS	Security & Card Services Manager, TSS	Manager Major Works Property Portfolio, TSS	Principal Manager Property Portfolio, TSS	General Manager Asset Management & Workplace Services TSS	Director Corporate and Commercial	Chief Executive Reserved Functions
Approval to repairs, maintenance and minor works, and building services for administrative properties against approved budgets.													
Unlimited	3900									✓	✓		
≤ \$150K	3901					✓	✓	✓	✓				
≤ \$30K	3902	✓		✓	✓								
Approval for capital expenditure and payments against approved budgets.													
Unlimited	3905									✓	✓		
≤ \$150K	3906					✓	✓	✓	✓				
≤ \$30K	3907				✓								
Approval for lease payments for administrative properties.	3910		✓			✓				✓	✓		
Approval to disbursement of refund of Security Deposits for Building Works.	3915					✓	✓	✓	✓	✓	✓		
Approval to execution of contract documents for building works on administrative properties.													
≤ \$0.5M	3920					✓	✓	✓	✓				
> \$0.5M and < \$1.5M	3921									✓			
> \$1.5M and < \$3M	3922										✓		
≥ \$3M	3923											✓	
Approval to total variations to the contract sum by plus or minus 10% on administrative properties.	3925					✓	✓	✓	✓	✓	✓		
Approval to demolition of property improvements – administrative properties.	3930						✓		✓	✓	✓		
Approval to dispose of an administrative property with concurrence of RMS Director Corporate and Commercial	3935										✓	✓	

		Manager Property Strategy & Planning, TSS	Manager Property Services (Regional)	Valuations & Acquisitions Manager (Regional)	Manager Portfolio Management Property Portfolio, TSS	Security & Card Services Manager, TSS	Manager Major Works Property Portfolio, TSS	Principal Manager Property Portfolio, TSS	General Manager Asset Management & Workplace Services TSS	Director Corporate and Commercial	Chief Executive Reserved Functions
To approve or execute leases, licences and associated documents where RMS is the tenant and the property is for:											
Administrative Purposes	3940	✓						✓	✓		
Road work activities	3941		✓	✓							
To execute Permissive Occupancy/Licence agreements where RMS is the landlord for administrative properties.	3945	✓						✓	✓		

5.4 Human Resources

NOTE: Employment related delegations are granted by the Transport Secretary.

Refer to TfNSW Employment and Industrial Relations Delegations
<http://intranet.transport.nsw.gov.au/delegations>

5.5 Infrastructure Contracts

Definition of Construction Industry

'Construction Industry' is defined in the NSW Government Codes as "includes all organised activities concerned with construction, demolition, dismantling, alteration, extension, restoration, repair, maintenance, installation, building, landscaping, civil engineering, process engineering, heavy engineering and construction work in mining". The NSW Government Codes further detail Construction Industry procurement to include consultancies and professional services, and privately financed projects in the provision of the State's assets.

Delegation of Principal

Under Section 4 above, for all Construction Industry Contracts the Principal is the Director, Infrastructure Development Division (IDD).

The 'Principal's Authorised Person' is the person authorised to act on behalf of the Principal.

Notes

- A. These contract clauses are for Infrastructure procurement and management (Road, Bridges, Traffic management etc). All procurement specific to general purchasing are in section 5.2 – Contracts.
- B. These Clauses are to be used by Divisions for Infrastructure works only.
- C. Road and Bridge Works Clauses are to be read in conjunction with the Engineering Contracts Sections 1, 2, 3, 4 & 5.
- D. Professional Services Contracts clauses are to be read in conjunction with the Engineering Contracts Manual. Section 1 & 6.
- E. Any proposal to vary budgets between specific programs or funding categories requires Director(s) approval.
- F. Any project specific amendments to model documentation for contracts require the approval from the General Manager, Contracts and Project Strategy.
- G. The following is applicable when procuring for infrastructure works (excluding engagement of consultants, refer to policy PN159 and CD Directive CD003 for definition of consultants) not funded under the Federal Government Program/Building Australia programs (refer K below):

* up to \$50,000 or up to \$150,000 for an Aboriginal business [^] * \$50,001 - \$250,000 * Over \$250,000	1 or more written tenders [#] 3 or more written tenders requested and more than one tender received. Formal public advertising or Invitation from pre-registered list.
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[#] Tender must be considered reasonable and consistent with normal market rates for such works. Requirements cannot be split into components nor succession of orders to obtain the works under the delegations

[^] Contact Aboriginal Program Section for advice on an Aboriginal Business

Note: Concurrence of General Manager, Contracts and Project Strategy is required if the tender is by a different methodology than above.
- H. The Principal's Authorised Person is appointed to act on behalf of the Principal (RMS) in relation to the Contract. The person does not act as independent certifier, assessor or valuer. The person acts only as agent of the Principal.

- I. A 'principal' is the engaging party and has specific functions within the contract. In RMS contract conditions the principal is referred to as the Principal or RMS.
- J. RMS representative is defined in the relevant contract conditions. The person named in the contract Schedule, or any other person RMS nominates in writing, may act as RMS representative and has authority to act on behalf of RMS for all purposes in connection with that Agreement.
- K. Federal Government Infrastructure programs
- The agreements with the Commonwealth require all work including the engagement of Professional Service Contractors be publicly tendered unless an exemption has been approved by the Federal Minister.
- Standard exemptions are 'road maintenance work' and 'public utility adjustments'.
- Contact the 'Federal Programs Manager' (TfNSW) for information on exemptions.
- Exemption for urgent or early works must be approved by the relevant Director.

5.5.1 Bidding for External Work and Open Competition Work

Approval to Bid

Activity	No.	Delegation Clause	
		Variables	Delegate
Bidding	5000	Approval to bid.	
		> \$5M \$100,000 - \$5M < \$100,000 subject to all bids being registered in accordance with bid procedures.	<ul style="list-style-type: none"> ▪ Director, AMD ▪ GM Regional Maintenance Delivery ▪ Maintenance Delivery Managers ▪ State Wide Delivery Manager ▪ Regional Maintenance Delivery Manager ▪ Delivery Strategy Manager
	5010	Execution of the bid contract and letter of acceptance, subject to approval from Deputy General Counsel.	<ul style="list-style-type: none"> ▪ Branch Managers, AMD

Procurement

Activity	No.	Delegation Clause	
		Variables	Delegate
Procurement of goods and services	5015	Approval to negotiate procurement.	
		<p>> \$2M and approving officer not to be involved in negotiations.</p> <p>≤ \$2M and approving officer not to be involved in negotiations.</p> <p>≤ \$1,000,000 and approving officer not to be involved in negotiations.</p>	<ul style="list-style-type: none"> ▪ Director, AMD ▪ GM Regional Maintenance Delivery ▪ Maintenance Delivery Managers ▪ State Wide Delivery Manager ▪ Regional Maintenance Delivery Manager ▪ Delivery Strategy Manager ▪ Section Managers, AMD ▪ Works Managers in Regional Maintenance Delivery Branch
	5020	Approval to select the supplier/provider for goods or services on tendered bids.	
		<p>> \$5M</p> <p>\$600,001 - \$5M</p> <p>\$250,000 - \$600,000</p>	<ul style="list-style-type: none"> ▪ Director, AMD ▪ GM Regional Maintenance Delivery ▪ Maintenance Delivery Managers ▪ State Wide Delivery Manager ▪ Regional Maintenance Delivery Manager ▪ Delivery Strategy Manager
		< \$250,000	<ul style="list-style-type: none"> ▪ Section Manager AMD ▪ Works Managers in Regional Maintenance Delivery Branch
	5025	Approval to financial assessment of suppliers/provider for goods or services > \$100,000.	<ul style="list-style-type: none"> ▪ Business Strategy and Performance, AMD

5.5.2 Contract Management General

Advertising/Pre-qualification

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Road – general	5030	Approval to advertise and accept registration of tenderers for Road Infrastructure for privately financed projects.	<ul style="list-style-type: none"> Chief Executive
	5035	Approval to advertise and accept registration of tenderers for Road Infrastructure.	
		> \$50M. ≤ \$50M.	<ul style="list-style-type: none"> Director, Infrastructure Development Chief Operating Officer Director AMD Branch Managers in JMD, IDD, AMD
	5040	Approval to pre-qualification category and financial limits.	<ul style="list-style-type: none"> Contracts Strategy Manager
	5045	Review of appeals against pre-qualification category and financial limits.	<ul style="list-style-type: none"> GM Contracts and Project Strategy Branch Manager, Infrastructure Development Industry Representative
	5050	Approve recommendations of review committee appeals against pre-qualification category and financial limits.	<ul style="list-style-type: none"> Director, IDD Chief Operating Officer Director, AMD

Release of Security

Activity	No.	Delegation Clause	
		Variables	Delegate
	5060	Approval to release security Minor contracts,	<ul style="list-style-type: none"> RMS Representative
	5065	Approval to release securities GC21 contracts, D&C contracts	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative

Major*Tendering- General*

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5075	Approval to scope prior to the invitation of infrastructure tenders.	<ul style="list-style-type: none"> GM, AMD, IDD, JMD,
	5080	Approval to pre-estimate of liquidated damages (contract value).	
		Infrastructure Development projects.	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy,
		> \$20M	<ul style="list-style-type: none"> Branch Manager, AMD, IDD, JMD,
		≤ \$20M	<ul style="list-style-type: none"> Principal Manager, Infrastructure Development
		≤ \$10M	<ul style="list-style-type: none"> Section Manager AMD, IDD, JMD,
	5085	Approval to estimate for comparison of infrastructure tenders (provided estimate is within Project Estimate).	
		Infrastructure Development projects.	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy,
		>\$50M (within ± 10%)	<ul style="list-style-type: none"> Branch Manager AMD, IDD, JMD,
		≤ \$50M (within ± 10%)	<ul style="list-style-type: none"> Principal Manager, Infrastructure Development
		≤ \$10M (within ± 10%)	<ul style="list-style-type: none"> Section Manager, AMD, IDD, JMD,
	5090	Approval to contract delivery method for major contracts.	
		Privately Financed. Alliance.	<ul style="list-style-type: none"> Chief Executive Director IDD Director, AMD Chief Operating Officer
		DCM.	<ul style="list-style-type: none"> Director IDD Director, AMD Chief Operating Officer
		D&C. Construct only Infrastructure Development projects. Construct only >\$50M. Construct only ≤\$50M.	<ul style="list-style-type: none"> GM Contracts and Project Strategy GM Project Delivery GM Pacific Hwy, Branch Manager IDD, AMD, JMD Section Manager IDD, AMD, JMD
	5095	Approval to tender documents for Privately Financed Infrastructure projects.	<ul style="list-style-type: none"> Director, IDD
	5096	Approval to tender documents for D&C, DCM type infrastructure contracts after concurrence by GM, Infrastructure Contracts and Deputy General Counsel. (Infrastructure Development projects)	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy

Tendering- General

Activity	No.	Delegation Clause	
		Variables	Delegate
	5100	Approval to tender documents for D&C or DCM type infrastructure contracts after concurrence by GM Contracts & Project Strategy and Deputy General Counsel. (Non Infrastructure Development projects)	▪ Branch Manager AMD, IDD, JMD,
	5105	Approval to Infrastructure tender documents other than D&C, DCM and Privately Financed Infrastructure projects.	▪ Section Manager AMD, IDD, JMD,

Tendering- Invitation

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5110	Approval to the invitation to tenders for Privately Financed Projects.	▪ Chief Executive
	5115	Approval to the invitation to tenders for D&C, DCM type infrastructure contracts.	▪ Director IDD ▪ Director, AMD, ▪ Chief Operating Officer
	5120	Approval to the invitation to tenders for infrastructure contracts.	
		> \$100M	▪ Directors, AMD, IDD, CD ▪ Chief Operating Officer
		≤ \$100M (Infrastructure Development projects) ≤ \$100M (non Infrastructure Development projects) ≤ \$20M	▪ GM Project Delivery ▪ GM Pacific Hwy ▪ Branch Manager AMD, IDD, JMD ▪ Section Manager AMD, IDD, JMD
	5121	Approval of tender assessment committee > \$100M (Infrastructure Development projects) > \$100M (non- Infrastructure Development projects) ≤ \$100M ≤ \$20M	▪ GM Project Delivery ▪ GM Pacific Hwy ▪ Branch Manager AMD, IDD, JMD ▪ Principal Manager, AMD, IDD, JMD ▪ Section Manager AMD, IDD, JMD
		5122	Approval to extension of tender validity period ▪ GM Contracts and Project Strategy ▪ GM Project Delivery ▪ GM Pacific Highway
Contract – Major	5123	Approval to variation resulting from an extension of tender validity period	▪ GM Contracts and Project Strategy ▪ GM Project Delivery ▪ GM Pacific Highway
	5125	Acceptance of infrastructure tenders where privately financed project involved.	▪ Chief Executive

Activity	No.	Delegation Clause	
		Variables	Delegate
	5130	Acceptance of infrastructure tenders where D&C, DCM contract involved.	<ul style="list-style-type: none"> ▪ Director IDD ▪ Director, AMD ▪ Director, JMD

Tendering- Acceptance, continued

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5135	Acceptance of infrastructure tenders other than D&C DCM and Privately Financed Infrastructure projects where more than one tender is received, the lower or lowest is recommended and the tender price is within the relevant cost portion of the approved project budget.	
		> \$50M	<ul style="list-style-type: none"> ▪ Director AMD, IDD, ▪ Chief Operating Officer
		≤ \$50M (Infrastructure Development projects)	<ul style="list-style-type: none"> ▪ GM Project Delivery ▪ GM Pacific Hwy
		≤ \$50M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> ▪ Branch Manager, AMD, IDD, JMD
		≤ \$20M	<ul style="list-style-type: none"> ▪ Principal Manager, AMD, IDD, JMD
		≤ \$10M	<ul style="list-style-type: none"> ▪ Section Manager AMD, IDD, JMD
	5140	Acceptance of infrastructure tenders where the tender is not the lowest or exceeds the relevant cost portion of the approved project budget.	<ul style="list-style-type: none"> ▪ Director IDD ▪ Director, AMD, ▪ Chief Operating Officer
	5145	Acceptance of infrastructure tenders other than D&C DCM and Privately Financed Infrastructure projects where an RMS infrastructure tender has been lodged and the tender price is within the relevant cost portion of the approved project budget and the recommended tender is not from RMS, is the lowest and there is no adverse impact on RMS employment.	
		> \$50M	<ul style="list-style-type: none"> ▪ Director AMD, IDD ▪ Chief Operating Officer
		≤ \$50M (Infrastructure Development projects)	<ul style="list-style-type: none"> ▪ GM Project Delivery ▪ GM Pacific Hwy
		≤ \$50M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> ▪ Branch Manager AMD, IDD, JMD
		≤ \$20M	<ul style="list-style-type: none"> ▪ Principal Manager, IDD
		< \$10M	<ul style="list-style-type: none"> ▪ Section Manager AMD, IDD, JMD
	5150	Acceptance of infrastructure tenders where an RMS infrastructure tender has been lodged and the tender price is within the relevant cost portion of the approved project budget the recommended tender is not from RMS and is not the lowest and there is no impact on RMS employment.	<ul style="list-style-type: none"> ▪ Director IDD ▪ Director, AMD, ▪ Chief Operating Officer

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5135	Acceptance of infrastructure tenders other than D&C DCM and Privately Financed Infrastructure projects where more than one tender is received, the lower or lowest is recommended and the tender price is within the relevant cost portion of the approved project budget.	
		> \$50M	<ul style="list-style-type: none"> Director AMD, IDD, Chief Operating Officer
		≤ \$50M (Infrastructure Development projects)	<ul style="list-style-type: none"> GM Project Delivery
		≤ \$50M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> GM Pacific Hwy Branch Manager, AMD, IDD, JMD
		≤ \$20M	<ul style="list-style-type: none"> Principal Manager, AMD, IDD, JMD
		≤ \$10M	<ul style="list-style-type: none"> Section Manager AMD, IDD, JMD
	5140	Acceptance of infrastructure tenders where the tender is not the lowest or exceeds the relevant cost portion of the approved project budget.	<ul style="list-style-type: none"> Director IDD Director, AMD, Chief Operating Officer
	5145	Acceptance of infrastructure tenders other than D&C DCM and Privately Financed Infrastructure projects where an RMS infrastructure tender has been lodged and the tender price is within the relevant cost portion of the approved project budget and the recommended tender is not from RMS, is the lowest and there is no adverse impact on RMS employment.	
		> \$50M	<ul style="list-style-type: none"> Director AMD, IDD Chief Operating Officer
		≤ \$50M (Infrastructure Development projects)	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy
		≤ \$50M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> Branch Manager AMD, IDD, JMD
		≤ \$20M	<ul style="list-style-type: none"> Principal Manager, IDD
		< \$10M	<ul style="list-style-type: none"> Section Manager AMD, IDD, JMD
	5150	Acceptance of infrastructure tenders where an RMS infrastructure tender has been lodged and the tender price is within the relevant cost portion of the approved project budget the recommended tender is not from RMS and is not the lowest and there is no impact on RMS employment.	<ul style="list-style-type: none"> Director IDD Director, AMD, Chief Operating Officer
Contract – Major	5155	Acceptance of infrastructure tenders where a RMS infrastructure tender has been lodged and the tender price is within the relevant cost portion of the approved project budget and RMS tender is recommended or there is impact on RMS employment.	<ul style="list-style-type: none"> Director IDD Director, AMD Chief Operating Officer

Tendering- Acceptance, continued

Activity	No.	Delegation Clause	
		Variables	Delegate
	5160	Acceptance of infrastructure tenders where a single tender is received and does not exceed the estimate by more than 10% and is:	
		> \$50M	<ul style="list-style-type: none"> Director AMD, IDD Chief Operating Officer
		≤ \$50M (Infrastructure Development projects)	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy
		≤ \$50M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> Branch Manager AMD, IDD, JMD
		≤ \$20M	<ul style="list-style-type: none"> Section Manager AMD, IDD, JMD
	5165	Acceptance of infrastructure tenders where a single tender is received and exceeds the estimate by more than 10%.	<ul style="list-style-type: none"> Director AMD, IDD Chief Operating Officer

Tendering- Execution

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5170	Approval to an Infrastructure project Letter of Acceptance	<ul style="list-style-type: none"> Deputy General Counsel Contracts Administration Manager Contracts Strategy Manager
	5175	Execution of Infrastructure Contract Documents	<ul style="list-style-type: none"> Deputy General Counsel Contracts Administration Manager Contracts Strategy Manager

Minor Physical Works and Services, Supply, Utility Works and Small Works contracts (not RMCC)

Tendering- General

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Minor Physical Works and Services, Supply, Utility Works and Small Works	5180	Approval to pre-estimate of liquidated damages (infrastructure contract value).	
		> \$2M ≤ \$2M	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD
	5185	Approval to estimate for comparison of infrastructure tenders (provided estimate is within Project Estimate).	
		> \$2M (Infrastructure Development projects)	<ul style="list-style-type: none"> GM Project Delivery GM Pacific Hwy
		> \$2M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD
		≤ \$2M ≤ \$1M ≤ \$500,000	<ul style="list-style-type: none"> Principal Manager 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD
	5190	Approval to Infrastructure Tender Documents.	
		> \$500,000 ≤ \$500,000	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD

Tendering- Invitation

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Minor Physical Works and Services, Supply, Utility Works and Small Works	5195	Approval to the invitation to tender for infrastructure other than D&C DCM and Privately Financed Infrastructure projects.	
		> \$2M ≤ \$2M ≤ \$500,000	<ul style="list-style-type: none"> 1-3, AMD, IDD, JMD Principal Manager, 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD
	5200	Approval to the invitation of a single invitation tender for development work (federal government approval required where federally funded).	<ul style="list-style-type: none"> GM Project Development GM Project Delivery GM Pacific Highway
	5205	Approval to the invitation of a single invitation tender for maintenance work (federal government approval required where federal funding exceeds \$2M).	<ul style="list-style-type: none"> GM Asset Maintenance Planning GM Regional Maintenance Delivery
	5206	Approval of tender assessment committee	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD

Tendering- Acceptance

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Minor Physical Works and Services, Supply, Utility Works and Small Works	5210	Acceptance of tenders where a single tender is received and does not exceed the estimate by more than 10% and is:	
		> \$2M	▪ 1-3 AMD, IDD, JMD
		≤ \$2M	▪ 1-4 AMD, IDD, JMD
	5215	≤ \$500,000	▪ 1-5 AMD, IDD, JMD
		Acceptance of tenders where a single tender is received and exceeds the estimate by more than 10% and is:	
		> \$2M	▪ Director AMD, IDD
	5220	≤ \$2M	▪ Chief Operating Officer
			▪ 1-3 AMD, IDD, JMD
		Acceptance of tender where more than one tender is received and the lower or lowest is recommended and where tender is:	
		> \$2M	▪ 1-3 AMD, IDD, JMD
	5225	≤ \$2M	▪ 1-4 AMD, IDD, JMD
		≤ \$500,000	▪ 1-5 AMD, IDD, JMD
			▪
	5225	Acceptance of infrastructure tender where the recommended tender is not the lowest and where tender is:	
		> \$2M	▪ 1-3 AMD, IDD, JMD
		≤ \$2M	▪ 1-4 AMD, IDD, JMD
	5230	Acceptance of infrastructure tender where RMS tender has been lodged and RMS not recommended and RMS not the lowest and where tender is:	
		> \$2M	▪ 1-3 AMD, IDD, JMD
		≤ \$2M	▪ 1-4 AMD, IDD, JMD
	5235	Acceptance of infrastructure tender where RMS tender has been lodged and RMS recommended or RMS lowest.	▪ 1-3 AMD, IDD, JMD

Tendering- Execution

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Minor Physical Works and Services, Supply, Utility Works and Small Works	5240	Approval to letter of acceptance Note: cannot be the same person who approved acceptance of the tender.	▪ 1-4 AMD, IDD, JMD
	5245	Execution of infrastructure contract documents.	▪ 1-4 AMD, IDD, JMD

Professional Service Contracts*Tendering- General*

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Professional Services	5250	Approval to pre-estimate of liquidated damages (PSC contract value).	
		> \$2M ≤ \$2M	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD 1-4 AMD, IDD, JMD
	5255	Approval to estimate for comparison of PSC tenders (provided estimate is within Project Estimate).	
		> \$2M	Branch Manager AMD, IDD, JMD
		≤ \$2M	Principal Manager, AMD, IDD, JMD
		≤ \$1M ≤ \$500,000	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD
	5260	Approval to PSC Tender Documents.	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD

Tendering- Invitation

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Professional Services	5265	Approval to the invitation to PSC tenders.	
		> \$2M ≤ \$2M ≤ \$1M	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD 1-4 AMD, IDD, JMD 1-5 AMD, IDD, JMD
		Approval of tender assessment committee	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD
	5266	Approval of tender assessment committee	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD

Tendering- Acceptance

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Professional Services	5275	Acceptance of PSC tender where a single tender is invited.	
		> \$50,000 ≤ \$50,000	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD 1-4 AMD, IDD, JMD
		Acceptance of PSC tender where a single tender is received.	
	5280	> \$250,000 ≤ \$250,000	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD 1-4 AMD, IDD, JMD
		Acceptance of PSC tender where more than one tender is received and lowest recommended.	
	5285	> \$2M	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD
		≤ \$2M	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD Senior Project Development Manager, Senior Project Manager IDD

Tendering- Acceptance, continued

Activity	No.	Delegation Clause	
		Variables	Delegate
	5290	Acceptance of PSC tender where the tender is not the lowest. <div> <div>> \$2M</div> <div>≤ \$2M</div> <div>≤ \$500,000</div> </div>	<ul style="list-style-type: none"> Director AMD, IDD Chief Operating Officer 1-3 AMD, IDD, JMD 1-4 AMD, IDD, JMD Senior Project Development Manager, Senior Project Manager IDD
	5291	Approval to letter of acceptance Note: cannot be the same person who approved acceptance of the tender.	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD
	5292	Execution of infrastructure contract documents.	<ul style="list-style-type: none"> 1-4 AMD, IDD, JMD

Administration*Subcontracts*

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5295	Approval to the infrastructure principal contractor to enter into subcontracts.	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative
Contract – Minor	5300	Approval to the principal infrastructure contractor to enter into subcontracts.	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative
Contract – Professional Services	5305	Approval to the principal PS contractor to enter into subcontracts.	<ul style="list-style-type: none"> RMS Representative

Contract Variations and Claim Settlements (major, minor, professional services)*Variation- General*

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Variations	5310	Approval to scope change.	▪ 1-3 AMD, IDD, JMD
	5315	Approval to scope change variation estimate in principle.	▪ GM Contracts and Project Strategy

Variation- contracts to \$20M

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Variations	5320	Approval to all individual variations to the original contract sum for original contract sums up to \$20M:	
		≤ \$100,000	▪ Principal's Authorised Person
	5325	≤ \$50,000	▪ RMS Representative
			▪ Authorised Delegate
			▪ RMS Site Representative
		Approval to variations to the original contract sum for original contract sums up to \$20M and for all individual variations >\$100,000 and where total value of variations (excluding those approved by GM Contracts and Project Strategy):	
		Exceed the greater of \$250,000 or 20% of the original contract sum Up to the greater of \$250,000 or 20% of the original contract sum (Infrastructure Development projects)	▪ GM Contracts and Project Strategy ▪ GM Project Delivery ▪ GM Pacific Hwy
		Up to the greater of \$250,000 or 20% of the original contract sum (non- Infrastructure Development projects). For total variations up to 10% of the original contract sum.	▪ 1-3 AMD, IDD, JMD
			▪ Principal's Authorised Person ▪ RMS Representative

Variation- contracts \$20M to \$200M

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Variations	5335	Approval to all individual variations to the original contract sum and for original contract sum between \$20M and \$200M:	
		≤ \$500,000	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative
	5340	≤ \$100,000	<ul style="list-style-type: none"> Authorised Delegate RMS Site Representative
		Approval to variations to the original contract sum for original contract sum between \$20M and \$200M and for individual variations > \$500,000 and where total variations (excluding those approved by GM Contracts and Project Strategy):	
		Exceeds \$5M	<ul style="list-style-type: none"> GM Contracts and Project Strategy
		≤ \$5M (Infrastructure Development projects)	<ul style="list-style-type: none"> 1-3 IDD GM Project Delivery GM Pacific Hwy
		≤ \$5M (non- Infrastructure Development projects)	<ul style="list-style-type: none"> 1-3 AMD, IDD, JMD
		<10% of the contract sum to a max of \$5M	<ul style="list-style-type: none"> Principal Manager, IDD, AMD, JMD
		≤ \$2M	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative

Variation- contracts over \$200M

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Variations	5345	Approval to variations to the original contract sum for original contract sum over \$200M and for all individual variations.	
		≤ \$1M	<ul style="list-style-type: none"> Principal's Authorised Person RMS Representative
		≤ \$250,000	<ul style="list-style-type: none"> Authorised Delegate RMS Site Representative

Variation- contracts over \$200M, continued

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Variations	5350	Approval to variations to the original contract sum for original contract sum over \$200M and for individual variations > \$1M and where total value of variations (excluding those approved by GM Contracts and Project Strategy).	
		> 2% of original contract sum. ≤ 2% of original contract sum (Infrastructure Development projects). ≤ 2% of original contract sum (non-Infrastructure Development projects). ≤ 1% of original contract sum.	<ul style="list-style-type: none"> ▪ GM Contracts and Project Strategy ▪ 1-2 AMD, IDD ▪ GM Project Delivery GM Pacific Hwy ▪ 1-3 AMD, IDD, JMD ▪ Principal's Authorised Person ▪ RMS Representative

Claim settlement

Activity	No.	Delegation Clause	
		Variables	Delegate
Claim Settlement	5351	Approval to claim settlements	
		All Infrastructure contracts	<ul style="list-style-type: none"> ▪ GM Contracts and Project Strategy

5.5.3 Project Development***Common Asset/Project Life Cycle Issues***

Activity	No.	Delegation Clause	
		Variables	Delegate
Core Program Projects	5355	Approval to media releases related to projects.	<ul style="list-style-type: none"> ▪ 1-4 AMD, IDD, JMD
	5360	Approval to advertisements related to projects.	<ul style="list-style-type: none"> ▪ 1-4 AMD, IDD, JMD

Strategic Project/Program

Activity	No.	Delegation Clause	
		Variables	Delegate
Core Program Projects	5365	Approval to development strategy reports prior to public release.	<ul style="list-style-type: none"> ▪ 1-3 AMD, IDD, JMD
	5370	Approval to preliminary project timings.	<ul style="list-style-type: none"> ▪ 1-3 AMD, IDD, JMD
	5375	Approval to variations from current approved design standards.	<ul style="list-style-type: none"> ▪ 1-3 AMD, IDD, JMD
	5380	Approval to project delivery methods.	<ul style="list-style-type: none"> ▪ 1-3 AMD, IDD, JMD

	5385	Approval for exemption from competitive tendering to purchase road construction or associated services from RMS Road and Fleet Services or Councils.	<ul style="list-style-type: none"> Director IDD Director, AMD Chief Operating Officer
	5390	Approval to variations in the approved project allocations.	1-3 AMD, IDD, JMD
	5395	Approval to priorities within the program.	1-3 AMD, IDD, JMD
	5400	Approval to development strategies.	1-3 AMD, IDD, JMD

Concept

Activity	No.	Delegation Clause	
		Variables	Delegate
Development Program Projects	5405	Approval to the preferred option for a project, prior to any announcement.	1-3 AMD, IDD, JMD
	5410	Approval to concept design.	1-5 AMD, IDD, JMD
	5415	Approval to proceed with project development.	1-3 AMD, IDD, JMD
	5420	Approval to EIS and REF documents prior to public display.	1-4 AMD, IDD, JMD
	5425	Approval to representations reports.	1-3 AMD, IDD, JMD
	5430	Approval to final concept design.	1-3 AMD, IDD, JMD
	5435	Approval to final concept timings.	1-3 AMD, IDD, JMD

Design

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Project Development	5440	Approval to preferred concept option for the project.	<ul style="list-style-type: none"> 1-3 AMD Director IDD Chief Operating Officer
	5445	Approval to accept construction drawings, specifications (excluding contracts specifications covered by contract general clauses) and estimates for all roads, bridges and traffic facilities.	
		> \$20M	1-3 AMD, IDD, JMD
		≤ \$20M	1-4 AMD, IDD, JMD
	5450	Approval to Structural integrity of in-house final bridge plans.	
		> \$5M	Chief Engineer, Principal Bridge and Structures Engineer
		≤ \$5M	Senior Bridge Engineer, New Design
	5452	Approval to final road boundaries.	1-3 AMD, IDD, JMD
	5453	Approval for abandonment of a road proposal with advice of the abandonment to be forwarded to the Minister and RMS Property Services	1-3 AMD, IDD, JMD
	5455	Approval to fix the levels of a road under Section 31 of the <i>Roads Act, 1993</i> .	1-4 AMD, IDD, JMD

Authorised Costs

Activity	No.	Delegation Clause	
		Variables	Delegate
Payment	5460	Approval to authorised costs for miscellaneous works to improvements to level crossings (including any work by the relevant Rail Authority).	
		≤ \$5M	▪ 1-4 AMD, IDD, JMD
	5465	Approval to authorised costs for miscellaneous works for outside bodies.	
		≤ \$2M	▪ 1-4 AMD, IDD, JMD

Project Management

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Project Development	5475	Approval to vary budgets between specific programs or funding categories.	▪ Director, AMD, IDD ▪ Chief Operating Officer
	5480	Approval to finalise individual works including but not limited to annual maintenance and improvement programs, annual Safety and Traffic Management programs, buildings and assets programs .	▪ 1-4 AMD, IDD, JMD
	5485	Approval to advise utility authorities and other bodies of the extent and estimated cost of road restorations, and approve commencement of work.	▪ 1-5 AMD, IDD, JMD

Variations

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Project Development	5490	Approval to variations to construction works provided they do not result from, or would not result in, a departure from the approved project/job concept and the total value.	
		Does not exceed the limit of the allowance provided for in the Authorised cost	▪ 1-5 AMD, IDD, JMD
		Does not exceed plus or minus 25% of the allowance provided for in RMS.	▪ 1-4 AMD, JMD, ID
	5495	Approval to variation between items within Maintenance and Improvement Programs.	▪ 1-4 AMD, IDD, JMD

Public Utility Alterations

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Project Development	5500	Approval to accept estimate (RMS share) and payment for public utility alteration.	
		> \$5M	▪ 1-3 AMD, IDD, JMD
		≤ \$5M	▪ 1-4 AMD, IDD, JMD
		≤ \$1M	▪ 1-5 AMD, IDD, JMD
	5505	Approval to make payment of over expenditure on public utility alteration.	
		> 50%	▪ 1-3 AMD, IDD, JMD
		≤ 50%	▪ 1-4 AMD, IDD, JMD
		≤ \$100,000 or 20% (whichever is lesser)	▪ 1-5 AMD, IDD, JMD

Programming

Activity	No.	Delegation Clause	
		Variables	Delegate
Development Program Projects	5510	Acceptance of estimates of cost for projects or complex projects with high risk.	
		> \$100M	▪ Director AMD, IDD ▪ Chief Operating Officer
	5515	Acceptance of estimates of cost for projects.	
		< \$100M	▪ 1-3 AMD, IDD, JMD
	5520	Approval to project budgets and variations.	▪ 1-3 AMD, IDD, JMD
	5525	Approval to announced project budgets and variations.	▪ 1-3 AMD, IDD, JMD
	5530	Approval to the scope of a project and scope variations	▪ 1-3 AMD, IDD, JMD

Road Maintenance Council Contracts (RMCC)*Execution of Contract*

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract - RMCC	5600	Approval to invite Council to take part in the RMCC	▪ 1-3 AMD Manager RMCC AMD
	5605	Execution of RMCC	▪ 1-3 AMD ▪ RMS Authorised Person

Routine Services-Purchase Approval

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract Road-RMCC	5610	Approval for authorisation of Purchase Order for Routine Services	▪ 1-3 AMD, Senior Project Manager AMD

Ordered Works- Purchase Approval

Activity	No.	Delegation Clause	
		Variables	Delegate
Ordered Works	5615	Approval to authorise Purchase Order for Ordered Works within program budget >\$2M.	▪ Director AMD
Ordered Works	5620	Approval to authorise Purchase Order for Ordered Works within program budget <\$2M.	▪ 1-5 AMD
Ordered Works Variations *	5625	Value of variation is < \$100,000	▪ 1-5 AMD
		Value of variation is < \$500,000	▪ 1-3 AMD, Senior Project Manager AMD
		Value of variation is > \$500,000	▪ 1-3 AMD

*Variations to approved RMCC ordered works

Payment Authorisation

Activity	No.	Delegation Clause	
		Variables	Delegate
RMCC - general	5630	Authorisation of payment for Routine and Ordered Works	1-4 AMD Senior Project Manager AMD

Contract Payments

Activity	No.	Delegation Clause	
		Variables	Delegate
Contract – Major	5640	Authorisation of contract payment This is provided that: the delegate has as a function of the job and duties the management oversight and or the responsibility for the payment of accounts	▪ 1-5 AMD, IDD, JMD,
Contract –Minor	5645	Authorisation of contract payment This is provided that: the delegate has as a function of the job and duties the management oversight and or the responsibility for the payment of accounts	▪ 1-5 AMD, IDD, JMD,
Contract – Professional Services	5650	Authorisation of contract payment This is provided that: the delegate has as a function of the job and duties the management oversight and or the responsibility for the payment of accounts	▪ 1-5 AMD, IDD, JMD,

5.6 Information and Communications Technology (ICT)

Notes:

- A. IT clauses apply to all RMS Divisions requiring IT Hardware, software and services for any purpose including where IT covers a component of a larger non IT project.
- B. IT clauses are subject to ICT Committee approval where ICT capital investment projects are impacted and are subject to the allocation of funds by the Finance Strategy Committee (FSC).
- C. All proposals which include any ICT capital development or purchases are to be submitted to ICT Committee before RFI / RFP / RFT / RFQ and be assessed by a team which will include IM&IT representation and input for all issues and assessment of business cases. ICT Committee approval to place orders also required.
- D. Hardware refers to Computer and Communication equipment. This includes mainframe, mid-range computers, and all associated devices such as PCs, laptops, hard disks, USB devices, tape drives, terminals, file servers, printers, modems, telephone systems, PABX's, NextG connections, GPS connections or any other device which is to be connected or has the capacity to be connected to a local or a wide area network.
- E. Software refers to computer programs including operating systems, utilities and all the associated materials needed to cover the planning, design, specification, construction, installation, documentation, repair and enhancement processes, including software residing in PCs, CAD workstations, mid range and mainframe computers.

IT: Standard Hardware/Software/Services

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Acquisitions	6000	Approval to acquire Hardware and Software listed in IM&IT Price Book.		
		≤ \$10,000	▪ 1-5	
		> \$10,000	▪ 1-4	

Disposal

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Disposal	6005	Approval to sell RMS developed computer software to external clients.	▪ Chief Executive	
	6010	Approval to write off and dispose of Non-Standard Software/Hardware by business owner with concurrence of Chief Information Officer (CIO).		
		> \$100,000 written down value	▪ Director, Corporate and Commercial	
		≤ \$100,000 written down value	▪ 1-4	
	6015	Approval to dispose of or replace Standard Hardware before end of life after concurrence of CIO.	▪ 1-4	

Communications/Voice*External Connections*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Data	6020	Approval to share information with 3rd party organisations under business case via network connection or storage media such as compact disk or USB memory	<ul style="list-style-type: none"> Approval by Director owning the information or resource to be shared. Chief Information Officer to approve technical method of access. Oversight by GM, Governance 	

Internet/LAN/Email/Intranet

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Management	6025	Approval of content of pages published on the RMS Internet site.	<ul style="list-style-type: none"> Director, Corporate and Commercial 	
	6030	Approval to grant connection to the Internet, LAN, email.	<ul style="list-style-type: none"> 1-5 	
	6035	Approval to content of pages published on RMS Intranet.	<ul style="list-style-type: none"> 1-4 	

System Development*Acquire systems by development, enhancement or purchase*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Systems Acquisitions	6040	Approval to request feasibility study of business applications	<ul style="list-style-type: none"> 1-3 	
	6045	Approval to initiate the development or acquisition of systems to meet business requirements (subject to ICT Project Review Committee approval).		
		> \$1,000,000 ≤ \$1,000,000	<ul style="list-style-type: none"> Chief Executive 1-1 	
	6050	Approval to initiate development or acquisition of systems to meet business requirements (subject to current RMS policy).		
		≤ \$500,000 ≤ \$50,000	<ul style="list-style-type: none"> Chief Information Officer 1-3 IT Infrastructure Manager 	

IT Non-standard Hardware/Software/Services*Acquisitions*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Acquisitions	6055	Approval to acquire Hardware, Software or Services not in Price Book including data centre and network hardware/software (acquisition through IM&IT).		
		> \$500,000	<ul style="list-style-type: none">▪ Director, Corporate and Commercial▪ Chief Information Officer▪ IT Infrastructure Manager▪ 3-4 IM&IT Branch▪ 1-4 with concurrence of IM&IT Branch	
		≤ \$500,000		
		≤ \$50,000		
		≤ \$20,000		
		≤ \$250		

Communications, Voice and Data Services*Establishment*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Data	6060	Approval to establish voice or data services		
		≤ \$50,000 pa.	▪ IT Infrastructure Manager	
		≤ \$500,000 pa.	▪ Chief Information Officer	
		≤ \$1 million pa.	▪ Director, Corporate and Commercial	

Other ICT

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Information, Communication & Technology	6065	Approval to call quotations, EOI, RFP or RFT	<ul style="list-style-type: none"> Chief Information Officer 	

Connection

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Data	6070	Approval to connect/disconnect equipment to LAN/WAN.	<ul style="list-style-type: none"> IM&IT Infrastructure Manager IT Customer Services Manager 	

Maintenance

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Management	6075	Authorise repairs to IM & IT hardware.		
		≤ \$50,000	<ul style="list-style-type: none"> IT Infrastructure Manager IT Customer Services Manager 	
		≤ \$10,000	<ul style="list-style-type: none"> IT Service Continuity Manager 	

IT Price Book

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
IT Management	6080	Approval to changes, additions or deletions of items in the IM&IT Price Book in accordance with Procurement Policy.	<ul style="list-style-type: none"> Chief Information Officer 	

5.7 Legal

5.7.1 Legal Matters

General

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Environment	Note:	Making of submissions to the Heritage Council relating to the Listing or Delisting of Roads and Maritime assets or other items on the State Heritage Register under sections 33 and 38 of the Heritage Act 1977	Not delegated – reserved for exercise by the Chief Executive only	
	7000	Approval to sign annual returns for EPA licences.	<ul style="list-style-type: none"> Director, ID Director, Asset Maintenance, Chief Operating Officer Director, Corporate and Commercial Director, NSW Maritime 	
	7001	Approval to authorise applications in relation to EPA environment protection licences.	<ul style="list-style-type: none"> Director, ID Director, Asset Maintenance Chief Operating Officer Director, Corporate and Commercial Director, NSW Maritime 	
	7002	Approval to authorise applications in relation to Aboriginal Heritage Impact Permits (AHIPs) under the National Parks and Wildlife Act 1974.	<ul style="list-style-type: none"> Director, ID Director, Asset Maintenance Chief Operating Officer Director, Corporate and Commercial 	
	7003	<p>Exercising RMS's duty under Part 5 of the Environmental Planning and Assessment Act 1979 to consider an activity including any environmental assessment with respect to review of environmental factors for an activity being:</p> <p>(a) Routine and Minor Works (as described in the RMS Environmental Assessment Procedure for Routine and Minor Works);</p> <p>(b) Projects (as described in the RMS Environmental Assessment Procedure - Project review of environmental factors); and</p> <p>(c) Aquatic activities regulated by section 18 of the <i>Marine Safety Act 1998</i></p> <p>and determine whether to proceed with the activity and whether to grant an approval in relation to the activity.</p>		
		Minor Works Review of Environmental Factors (REF) ¹	Infrastructure Development Division	

Activity	No.	Delegation Clause		Resp
		(Cont.) Minor Works Review of Environmental Factors (REF) ¹	<ul style="list-style-type: none"> ▪ Director, Infrastructure Development ▪ General Manager, Project Development ▪ General Manager, Project Delivery ▪ General Manager, Pacific Highway ▪ General Manager, Western Sydney Infrastructure ▪ Principal Manager, Project Development ▪ Principal Manager, Project Delivery ▪ Principal Manager, Major Projects ▪ Principal Manager, Infrastructure Property <div style="background-color: black; color: white; padding: 2px; margin: 5px 0;">Journey Management Division</div> <ul style="list-style-type: none"> ▪ Chief Operating Officer, ▪ General Manager, Network Optimisation ▪ Network General Manager Motorways ▪ General Manager, Motorway Management ▪ Network General Manager Sydney ▪ Network General Manager NSW ▪ General Manager, Road Network Operations ▪ General Manager, Motorway Projects ▪ Principal Manager, Motorway Delivery ▪ Principal Manager, Network Operations ▪ Principal Manager, Traffic Operations ▪ Principal Manager, Intelligent Transport Systems ▪ Regional Managers JMD ▪ Motorway Systems Manager ▪ Manager, Major Project Integration ▪ Project Manager, 	

Activity	No.	Delegation Clause		Resp
		(Cont.) Minor Works Review of Environmental Factors (REF) ¹	<p>Motorway Operations</p> <ul style="list-style-type: none"> ▪ Network and Safety Managers JMD ▪ Asset Managers JMD <p>Asset Maintenance Division</p> <ul style="list-style-type: none"> ▪ Director, Asset Maintenance ▪ General Manager, Regional Maintenance Delivery ▪ General Manager, Contract Management Office ▪ Regional Maintenance Delivery Manager ▪ Contract Relationship Manager <p>Maritime Division</p> <ul style="list-style-type: none"> ▪ Director, NSW Maritime ▪ General Manager, Boating Operations² ▪ Principal Manager, Boating Operations² ▪ Manager Operations Boating Operations² ▪ Principal Manager Product Services² <p>Corporate Division</p> <ul style="list-style-type: none"> ▪ Director, Corporate and Commercial ▪ General Manager, Commercial & Property ▪ Principal Manager, Property 	
	7003	Project REF ¹	<p>Infrastructure Development Division</p> <ul style="list-style-type: none"> ▪ Director, Infrastructure Development ▪ General Manager, Project Development ▪ General Manager, Project Delivery ▪ General Manager, 	

Activity	No.	Delegation Clause		Resp
		(Cont.) Project REF ¹	<ul style="list-style-type: none"> Pacific Highway General Manager, Western Sydney Infrastructure <p>Journey Management Division</p> <ul style="list-style-type: none"> Chief Operating Officer General Manager, Network Optimisation Network General Manager Motorways General Manager, Motorway Management Network General Manager Sydney Network General Manager NSW General Manager, Road Network Operations General Manager, Motorway Projects <p>Asset Maintenance Division</p> <ul style="list-style-type: none"> Director, Asset Maintenance General Manager, Regional Maintenance Delivery General Manager, Contract Management Office Regional Maintenance Delivery Manager Contract Relationship Manager <p>Maritime Division</p> <ul style="list-style-type: none"> Director, NSW Maritime <p>Corporate Division</p> <ul style="list-style-type: none"> Director, Corporate and Commercial General Manager, Commercial & Property 	
	7003	Aquatic activity REF ³	Infrastructure Development Division	

Activity	No.	Delegation Clause	Resp
		(Cont) Aquatic activity REF ³ <ul style="list-style-type: none"> ▪ Director Infrastructure Development ▪ Chief Operating Officer ▪ Director, Asset Maintenance ▪ Director, Corporate and Commercial ▪ Maritime Division ▪ Director, NSW Maritime ▪ General Manager, Boating Operations ▪ Principal Manager, Boating Operations ▪ Manager Operations, Boating Operations ▪ Principal Manager, Statewide Coordination ▪ Senior Special Aquatic Events Officer ▪ Senior Emergency Planning Officer 	

Notes

Delegations apply to activities for which delegates are responsible and are to be exercised within the accountable division.

1. Activities subject to a **Minor Works REF** or **Project REF** are detailed in Roads and Maritime's environmental assessment procedures.

2. The delegation is limited to Routine and Minor Works REF determinations for activities involving:

- movement of existing moorings from an existing mooring field to another existing field
- movement of existing moorings within an existing mooring field
- placement of new moorings within an existing mooring field
- placement or movement of new or existing navigational aids.

3. An "**Aquatic Activity REF**" refers to those matters regulated by section 18 of the *Marine Safety Act 1998* which also meet the definition of an "activity" under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Examples may include:

- the undertaking of organised community, recreational and cultural events, functions and activities in NSW waterways
- small-scale, non-permanent construction works in NSW waterways associated with such activities, such as temporary moorings.

Reference should be made to the Aquatic Licence Procedure (PN 267 P01) for guidance on determining whether an **Aquatic Activity** is subject to Part 4 or 5 of the EP&A Act.

The delegation with respect to the environmental assessment of an **Aquatic Activity** under Part 5 of the EP&A Act may only be exercised if the nominated position also has the necessary delegations to grant any required aquatic licence under the Marine Safety Act and Marine Safety Regulation. These are set out in the Maritime Delegations Manual, supported by the Aquatic Licence Policy (PN 267).

General, continued

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Legal Matters	7005	Execution of a Power of Attorney, Swear Affidavits or Statutory Declarations for RMS, Execution of Pleadings or Court documentation (statements of claim, etc).	<ul style="list-style-type: none"> Legal Counsel Lawyer 	
	7010	Engagement or briefing of external lawyers, barristers or experts on a matter (for matters where a panel of solicitors has been formed other than for property matters where a separate panel has been established to support Real Estate and to which a separate authority is applicable).	<ul style="list-style-type: none"> Legal Counsel Lawyer Litigation/Inquiries Lawyer Employment & Safety Senior Manager Prosecution Services Manager Prosecution Support 	
	7015	To exercise discretion to withdraw administrative decisions on appeal before a Court or Tribunal.	<ul style="list-style-type: none"> Legal Counsel Senior Manager Prosecution Services 	
	7020	Commence prosecution by the issue of Court Attendance Notice (and discontinue/settle or withdraw proceedings where necessary or appropriate)	<ul style="list-style-type: none"> Legal Counsel Senior Manager Prosecution Services Manager Enforcement Services 	
	7021	Issue Penalty Notice (other than as an authorised officer)	<ul style="list-style-type: none"> Manager Enforcement Services 	
	7022	Approve request to Attorney General to brief Senior Counsel	<ul style="list-style-type: none"> Deputy General Counsel 	
	7025	Approve Appeal to the Appeal Panel against determination of Civil and Administrative Tribunal relating to occupational licence in connection with passenger transport or tow truck industry law.	<ul style="list-style-type: none"> General Manager Accreditation # General Manager Customer & Support Services # General Manager Service Relationships# <p># on advice from Legal Counsel</p>	
	7026	Approve appeal to Supreme Court from Local Court prosecution	<ul style="list-style-type: none"> Director Safety & Compliance # <p># on advice from Legal Counsel</p>	

	7030	To issue or refuse a consent or concurrence under section 138 of the <i>Roads Act 1993</i>	<ul style="list-style-type: none"> ▪ Manager Property Services Sydney, Infrastructure Services ▪ Regional Managers (Journey Management Division), ▪ Regional Maintenance Delivery Managers (Asset Maintenance Division) ▪ Manager Statewide Delivery (Asset Maintenance Division)
	7035	Approval of legal and other costs and disbursements including external lawyer's legal fees and disbursements and including witness expenses or the briefing of counsel by external lawyer. (Unlimited)	<ul style="list-style-type: none"> ▪ Deputy General Counsel
		<p>≤\$100,000</p> <p>≤ \$20,000</p>	<ul style="list-style-type: none"> ▪ Legal Counsel ▪ Senior Manager Prosecution Services Manager
	7040	Execution of Contracts by hand.	<ul style="list-style-type: none"> ▪ Legal Counsel and any Officer who has Authority by virtue of the provisions of this document

General, continued

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Legal Matters (cont'd)	7045	To execute Works Authorisation Deeds with a capital works value of \$500,000 or greater.	<ul style="list-style-type: none"> Legal Counsel Regional Managers (Journey Management Division) GM Regional Maintenance Delivery (Asset Maintenance Division) Network General Manager NSW (Journey Management Division) 	
	7046	To execute Works Authorisation Deeds with a capital works value of less than \$500,000.	<ul style="list-style-type: none"> Legal Counsel Regional Managers (Journey Management Division), The Manager Statewide Delivery (Asset Maintenance Division) Regional Maintenance Delivery Managers (Asset Maintenance Division) 	
	7047	To execute other deeds with developers for the carrying out of, or for contributions to, road works or traffic control work, including Deed Containing Agreements, Memoranda of Understanding, TMAP Agreements and Voluntary Planning Agreements .	<ul style="list-style-type: none"> Legal Counsel GM Project Delivery (Infrastructure Development Division) Regional Managers (Journey Management Division) Network General Manager NSW (Journey Management Division) 	
	7050	Approval to execute (by hand) any other miscellaneous legal Deeds or Agreements including but not limited to Deeds of Novation and Deeds of Assignment.	<ul style="list-style-type: none"> Legal Counsel 	

Commonwealth Road Acts

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Legal Matters	7055	Approval to obtain information under sections 45 and 46 of the <i>Commonwealth Interstate Road Transport Act, 1985</i> .	<ul style="list-style-type: none"> Manager Enforcement Services Senior Manager Prosecution Services Investigator (Compliance) 	
	7060	Approval to consent to prosecution and to issue Court Attendance Notices and Penalty Notices under the <i>Commonwealth Interstate Road Transport Act 1985</i> and the <i>Interstate Road Transport Charge Act, 1985</i> and their Regulations.	<ul style="list-style-type: none"> Legal Counsel Manager Enforcement Services 	
	7065	Approval to sign Section 248 certificates under the <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> Manager Enforcement Services Senior Manager Prosecution Services Manager Property Services (Regional) 	
	7070	Approval to sign Section 248 (1)(b) certificates under <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> Manager Land Information & Titles (Finance Division) 	
	7075	Approval to sign Regulation 51A Certificates under <i>Commonwealth Interstate Road Transport Regulation 1986</i> .	<ul style="list-style-type: none"> A person authorised under section 166 of the <i>Road Transport Act 2013</i> to issue a certificate under s.257 of the same Act 	

5.7.2 Insurance**Premiums**

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance	7080	Approval to negotiate terms of coverage and premiums of Insurance to maximum of:		
		≤ \$35,000,000	<ul style="list-style-type: none"> Director, Corporate and Commercial 	
		≤ \$100,000	<ul style="list-style-type: none"> Finance Manager, Treasury, Taxation & Banking 	
	7085	Approval of the insurance and indemnity provisions of standard/non-standard contracts, and leases prior to execution.	<ul style="list-style-type: none"> Legal Counsel Lawyer Finance Manager, Treasury, Taxation & Banking (exercisable with the concurrence of a Lawyer) 	

Claims- General

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance	7090	Approval to claim on the Commonwealth in relation to expenditure on road works as required by appropriate Commonwealth legislation.	<ul style="list-style-type: none"> ▪ Director ID ▪ Director, Asset Maintenance ▪ Chief Operating Officer 	
	7095	Approval to lodge insurance claims with NSW Treasury Managed Fund (TMF) for: Property; Liability; Miscellaneous; Motor Vehicles; Off Road Plant; Workers Compensation.	<ul style="list-style-type: none"> ▪ Legal Counsel ▪ Lawyer Litigation & Inquiries ▪ Finance Manager, Treasury, Taxation & Banking ▪ Liability Claims Officer * <p>* Transport Shared Service Position</p>	
	7100	Approval to accept property claims and miscellaneous claims settlements offered by NSW Treasury Managed Fund after consultation with the Unit Manager.	<ul style="list-style-type: none"> ▪ Lawyer Litigation & Inquiries ▪ Finance Manager, Treasury, Taxation & Banking ▪ Liability Claims Officer * <p>* Transport Shared Service Position</p>	
	7105	Approval to accept cash settlements offered by NSW Treasury Managed Fund in the event of a vehicle being damaged beyond repair after consultation with Office Unit Manager.	<ul style="list-style-type: none"> ▪ Finance Manager, Treasury, Taxation & Banking 	

Claims- General (cont'd)

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance (cont'd)	7110	Approval to repair or replace property including buildings, goods and money accidentally lost, damaged, destroyed or misappropriated that are covered by the NSW Treasury Managed Fund following approval from TMF .		
		≤ \$1,000	<ul style="list-style-type: none"> ▪ Manager Liability Claims * ▪ Liability Claims Team Leader ▪ Senior Liability Claims Officer 	
		>\$1,000 and <\$20,000 only with the approval of the NSW Treasury Managed Fund	<ul style="list-style-type: none"> ▪ Manager Liability Claims * ▪ Liability Claims Team Leader ▪ Senior Liability Claims Officer 	
		>\$20,000 with the approval of the NSW Treasury Managed Fund	<ul style="list-style-type: none"> ▪ Manager Liability Claims * <p>* Transport Shared Service Position</p>	

Claims- Settlement

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance	7115	Approval to accept and settle claims against RMS where RMS's liability is protected by the NSW Treasury Managed Fund and no legal action has been commenced.		
		> \$20,000	<ul style="list-style-type: none"> ▪ Legal Counsel ▪ Lawyer Litigation & Inquiries ▪ Manager Liability Claims * 	
		≤ \$20,000	<ul style="list-style-type: none"> ▪ Lawyer Litigation & Inquiries ▪ Manager Liability Claims * <p>* Transport Shared Service Position</p>	

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance (cont'd)	7120	Approval to accept and settle claims against RMS where RMS's liability is protected by the NSW Treasury Managed Fund and legal action has been commenced.		
		> \$500,000	<ul style="list-style-type: none"> Legal Counsel Lawyer Litigation & Inquiries Director, Corporate and Commercial Manager Liability Claims * 	
		≤ \$500,000	<ul style="list-style-type: none"> Lawyer Litigation/Inquiries Manager Liability Claims * <p>* Transport Shared Service Position</p>	
	7125	Approval to accept and settle claims against RMS where there is no insurance protection by the NSW Treasury Managed Fund.		
		> \$500,000	<ul style="list-style-type: none"> Deputy General Counsel 	
		≤ \$500,000	<ul style="list-style-type: none"> Legal Counsel Lawyer Litigation & Inquiries 	
		< \$1,000	<ul style="list-style-type: none"> Manager Liability Claims * <p>* Transport Shared Service Position</p>	
	7130	Approval to accept and settle claims against RMS for minor motor vehicle damage to \$5000.	<ul style="list-style-type: none"> Manager Banking & Insurance 	
	7145	To execute release of claims generally.	<ul style="list-style-type: none"> Legal Counsels Lawyer Litigation/Inquiries Manager Liability Claims * <p>* Transport Shared Service Position</p>	

Ex-gratia payments	7148	Approval to make ex-gratia payment for loss or damage to personal equipment and effects <\$1,000 <i>occurring during the course of employment, and where the ex-gratia payment is sufficient to cover the cost of repair, or if it cannot be repaired the cost of an identical or only marginally different replacement.</i>	▪ 1-3	
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5.7.3 Civil Claims

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Insurance and legal matters	7155	Approval to the classification of a debt as being irrecoverable.	<ul style="list-style-type: none"> ▪ Manager Debt Recovery * ▪ Legal Counsel ▪ Lawyer Litigation/Inquiries <p>* Transport Shared Service Position</p>	
	7160	Authority to request enforcement action (including issue of warrants).	<ul style="list-style-type: none"> ▪ Manager Debt Recovery * <p>* Transport Shared Service Position</p>	
	7165	Approval to sign and lodge with the Registrar of the proper Local Court a Statement of Claim or Summons in the case of an action for the recovery of a debt under the <i>Civil Procedures Act, 2005</i> .	<ul style="list-style-type: none"> ▪ Debt Recovery Officer # * ▪ Legal Counsel ▪ Lawyer Litigation/Inquiries <p># subject to receipt of advice from a law firm</p> <p>* Transport Shared Service Position</p>	
Legal Matters	7170	To execute proof of debt and exercise powers under <i>District Court Act, 1973</i> and <i>Civil Procedures Act, 2005</i> .	<ul style="list-style-type: none"> ▪ Debt Recovery Manager # * ▪ Legal Counsel ▪ Lawyer Litigation/Inquiries <p># subject to receipt of advice from a law firm</p> <p>* Transport Shared Service Position</p>	

	7175	To apply for registration of judgment in the case of an action for the recovery of a debt or liquidation claim under the <i>Civil Procedures Act, 2005</i> .	<ul style="list-style-type: none"> ▪ Debt Recovery Officer # * ▪ Legal Counsel ▪ Lawyer <p>* Transport Shared Service Position</p> <p># subject to receipt of advice from a law firm</p>	
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Recovery of Unpaid Penalties

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Legal Matters	7180	To apply for registration of judgment under the Civil Procedure Act 2005 in respect of penalties imposed for breaches of legislation administered by RMS.	<ul style="list-style-type: none"> ▪ Debt Recovery Officer # * ▪ Legal Counsel ▪ Lawyer Litigation/Inquiries <p>* Transport Shared Service Position</p> <p># subject to receipt of advice from a law firm</p>	
	7185	Approval to institution of prosecution for breaches in relation to unpaid penalties imposed by RMS.	<ul style="list-style-type: none"> ▪ Legal Counsel ▪ Manager Enforcement Services ▪ Senior Manager Prosecution Services 	

5.7.4 Property- Legal Matters

Leasing-Out

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Property Management	7190	Execute documents to recover possession of real property	▪ Legal Counsel	

Granting Rights

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Property Management	7200	execute documents in connection with the issue of title to real property; the sale or purchase of interests in real property; acquisition of interests in real property; easements and covenants; and licences, leases or residential tenancies for real property.	▪ Legal Counsel	

5.8 Registration, Licensing & Regulatory Services

This section contains regulatory delegations for driver licencing, vehicle registration and heavy vehicle regulation across RMS divisions including Safety and Compliance Division. Delegations are also made to Asset Maintenance, Journey Management, Corporate and Commercial and Strategy and Engagement Divisions.

General Conditions of Delegation for Regulatory Delegations

Section 5.8 forms part of the Delegations Manual. All Principles of Delegation and General Conditions which apply to the Delegations Manual also apply to this Section.

These additional General Conditions apply to this part and govern how the regulatory delegations apply. Individual delegations must be read in conjunction with these principles.

1. The statutory provision that creates a function determines the scope of the delegated function.
2. The exercise of a delegated function is limited by any stated conditions.
3. A delegation to a position is also a delegation to any more senior position to which the first position reports.
4. Conditions apply equally to the more senior position unless a separate unlimited delegation is made to the more senior position.
5. The brief description in the table does not limit or alter the scope of the statutory power in any way. The description is included to assist with reading the table. A delegate must refer to the statutory provision when exercising a function.
6. Where a general delegation is made, the function may only be exercised by positions identified in established policies and procedures or in accordance with criteria established for an automated IT system.
7. Each function delegated to a Customer Service Officer (CSO) may also be exercised by a Customer Service Coordinator (CSCO) or a Customer Service Officer Driver Tester (CSODT), subject to any stated conditions.
8. Each function delegated to a Customer Service Centre Manager (CSCM) may also be exercised by a CSO, CSODT or CSCO when:
 - a. the CSCM is unavailable; and
 - b. the CSCM has given authority for the position holder to act in their place for that period of absence.

This part of the Delegations Manual is displayed in a spreadsheet. The following table explains how to read the spreadsheet.

Column title	Effect of column content
Number	Each different function has been assigned a different delegation number. Where the same function is delegated to multiple positions, the delegation number is the same.
Name of legislation	Identifies the title of the legislation containing the function being delegated. Rows with an "n/a" in this column indicate non-statutory delegations. Non-statutory delegations are located in the last rows of the spreadsheet.
Section/ Clause	Identifies the statutory provision containing the function that has been delegated. Functions under a single provision that are delegated to different positions are shown in separate rows.

Column title	Effect of column content
Brief description of power	Describes the delegated function to assist with reading the table. This description does not limit or alter the scope of the delegated function in any way. When exercising a function the delegate must refer to the provision creating the function.
Position title	Identifies each position authorised to exercise the function. If no specific position title is identified, the function is a general delegation (see Principles of Delegation above).
Unit, Section, Branch, Division	The Unit, Section, Branch or Division of the position to which the function has been delegated.
Conditions	Identifies limits imposed on the authority to exercise a function. Conditions apply equally to a more senior position able to exercise the function, unless an unlimited delegation is made to the more senior position.
Primary, Secondary, Tertiary business function	Broad categories to assist with sorting the table and with reviewing and updating delegations.

How to use the document

Important information on how to navigate this spreadsheet can be obtained by clicking [here](#).

Section 5.8 of the Delegations Manual can be accessed by clicking [here](#).

5.9 Traffic

Notes:

To implement or approve a delegation clause related to Traffic matters, the officer must have the delegated role under legislation, policy, or functional responsibility.

5.9.1 Bidding

Approval to Bid

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Bidding	9000	Approval to bid for SCATS related activities.		
		> \$200,000 < \$200,000	<ul style="list-style-type: none"> ▪ 1 Asset Maintenance, ▪ 1 Journey Management ▪ 1-3 Asset Maintenance, ▪ 1-3 Journey Management 	

Acceptance/Execution

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Bidding	9005	Signing of a SCATS related bid submission on behalf of RMS.	<ul style="list-style-type: none"> ▪ 1-3 Journey Management 	
	9010	Execution of a SCATS bid related contract and letter of acceptance, subject to legal advice.	<ul style="list-style-type: none"> ▪ 1-3 Journey Management 	

Control of Traffic*Devices*

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9015	Give a direction under Part 6 division 1c of the <i>Transport Administration Act 1988</i> .	<ul style="list-style-type: none"> Chief Operating Officer 	
	9020	Authorise a person in writing to install or display (or to interfere with, alter or remove) a prescribed traffic control device (regulatory sign or pavement marking) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney General Manager Road Network Operations 	
	9021	Authorise a person in writing (except for people external to RMS) to install or display (or alter or remove) a prescribed traffic control device (regulatory sign or pavement marking) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> 1-5 Network NSW Branch 1-5 Network Sydney Branch 1-5 Road Network Operations Branch 	
	9025	Authorise a person in writing to install or display (or to interfere with, alter or remove) a prescribed traffic control device (regulatory sign or pavement marking) under Section 122(b) of the <i>Road Transport Act 2013</i> (except speed limits and traffic control signals).	<ul style="list-style-type: none"> 1-5 Network NSW Branch 1-5 Network Sydney Branch 1-5 Road Network Operations Branch 	

Traffic Control

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9030	Approve the installation of an approved traffic control device (regulatory, warning, guide signs and pavement markings) under Section 87 of the <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> 1-6 Asset Maintenance, 1-6 Network NSW Branch 1-6 Network Sydney Branch 1-6 Road Network Operations Branch 	
	9035	Direct a person to remove an unauthorised prescribed traffic control device under Section 124(1) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney General Manager Road Network Operations 	

9036	Authorise a person to issue a direction to any person who contravenes section 123 of the <i>Road Transport Act 2013</i> which concerns installing or displaying, interfering with, altering or removing traffic devices under Section 124(1) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> ▪ Network General Manager NSW ▪ Network General Manager Sydney ▪ General Manager Road Network Operations 	
9037	Remove, or cause to be removed unauthorised prescribed traffic control devices under Section 124(3) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> ▪ 1-4 Asset Maintenance, ▪ 1-4 Network NSW Branch ▪ 1-4 Network Sydney Branch ▪ 1-4 Road Network Operations Branch 	
9040	Authorise a person in writing to install or display (or alter or remove) a prescribed traffic control device (portable traffic signals) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> ▪ 1-4 Asset Maintenance, ▪ 1-4 Network NSW Branch ▪ 1-4 Network Sydney Branch ▪ 1-4 Road Network Operations Branch 	
9045	Approval to regulate traffic under Section 115 <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> ▪ 1-6 Asset Maintenance, ▪ 1-6 Journey Management 	
9050	Approval to regulate traffic under Section 116 <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> ▪ 1-5 Asset Maintenance, ▪ 1-5 Journey Management 	
9055	Approval to the temporary regulation of traffic under Section 122 <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> ▪ 1-5 Asset Maintenance, ▪ 1-5 Journey Management 	
9060	Approval to exercise the functions of a roads authority with respect to any classified road under Section 64 <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> ▪ 1-4 Asset Maintenance, ▪ 1-4 Journey Management 	
9065	Issue a certificate stating the costs incurred to remove a prescribed traffic control device under Section 125(2) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> ▪ 1-3 Asset Maintenance, ▪ 1-3 Journey Management 	

5.9.2 Hazard Removal

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9080	Approve the removal and disposal of abandoned vehicles under sections 15 and 16 of the <i>Impounding Act, 1993</i> .	<ul style="list-style-type: none"> 1-5 Asset Maintenance 1-5 Network NSW Branch 1-5 Network Sydney Branch 1-5 Road Network Operations Branch 1-5 Motorway Management Branch 	
	9085	Establish a special tow-away zone under Section 143(9)-(11) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> 1-5 Network NSW Branch 1-5 Network Sydney Branch 1-5 Road Network Operations Branch 	
	9090	Give directions to remove traffic hazards, obstructions or encroachments under Sections 104 and 107 of the <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> 1-4 	
	9095	Approval to remove or lop any tree or other vegetation deemed to be a traffic hazard under Section 88 of the <i>Roads Act 1993</i> .	<ul style="list-style-type: none"> 1-5 	

5.9.3 Regulations

Routes

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9100	Approval to Road Train and B-Double routes.	<ul style="list-style-type: none"> 1-3 	

Events/Works

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9105	Approval of public gates with respect to classified roads under Section 128 of <i>Roads Act 1993</i> .	▪ 1-4	
	9110	Approval to erect or carry out a work in, on or over a road and road related areas etc. with respect to a classified road under Section 138 of the <i>Roads Act 1993</i> .	▪ 1-4	
	9115	Approval for road events with respect to a classified road under Section 144 of the <i>Roads Act 1993</i> .	▪ 1-4	
	9120	Approval to carry out road work on unclassified roads under Section 72 of the <i>Roads Act 1993</i> .	▪ 1-3	

Load

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9125	Approval to fix Load Limits under Road Transport (Mass, Loading and Access) Regulation, 1996.	▪ 1-3	
	9126	Prohibit vehicles with a laden mass exceeding a specified mass from using a road-ferry under Section 28(1)(b) of the <i>Road Transport (Vehicle and Driver Management) Act 2005</i> .	▪ General Manager, Infrastructure Asset Management Branch	

Vending

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9130	Approval for footway restaurant/s on the footway of a classified road under Section 125 of <i>Roads Act 1993</i> .	▪ GMs in Asset Maintenance and Journey Management and Regional Managers	
	9135	Approval for street vending with respect to a classified road under Section 139A of the <i>Roads Act 1993</i> .	▪ Network General Manager NSW ▪ Network General Manager Sydney ▪ Network & Safety Managers, JMD	

5.9.4 Speed Limits

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Traffic	9140	Authorise a person in writing to install or display (or alter or remove) a prescribed traffic control device (permanent speed limit sign) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> 1-4 	
	9145	Authorise a person in writing to install or display (or alter or remove) a prescribed traffic control device (temporary road works speed limit sign) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> 4-5 and holding a current card to design and inspect traffic control plans (Orange Card) if located outside of Journey Management Division 1-4 Journey Management Division 	
	9150	Authorise a person in writing to install or display (or alter or remove) a prescribed traffic control device (variable speed limit sign) under Section 122(b) of the <i>Road Transport Act 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney General Manager Road Network Operations 	

5.9.5 Authorised Officers and Approved Persons

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Appointment and approval of Authorised Officers and Approved Persons	9155	Appoint a person as an authorised officer as referred to in paragraph (b) of the definition of 'authorised person' in the Dictionary in <i>Road Rules 2008</i> for purposes of Road Rule 304 and 307(2).	GM Road Network Operations	
	9160	Approve a person as a person referred to in paragraph (c) of the definition of 'emergency worker' in the Dictionary in <i>Road Rules 2008</i> for the purposes of Road Rules 306, 307 and 308.	GM Road Network Operations	
	9165	Authorise an employee of an appropriate roads authority to remove dangers or obstructions to protect the public and facilitate the free flow of traffic under Section 142(5) of the <i>Road Transport Act 2013</i> .	GM Road Network Operations	
	9166	Authorise a person to exercise the powers concerning the removal of unattended motor vehicles under Section 143(12) of the <i>Road Transport Act 2013</i> .	GM Road Network Operations	

	9170	Appoint a person employed as a Traffic Commander as a "Class 16 officer" as referred to in Schedule 4 to the <i>Road Transport (General) Regulation 2013</i> .	GM Road Network Operations
	9175	Authorise a person (being an employee of RMS or Transport for NSW) who is in the position of Traffic Commander as an 'authorised officer' as defined in the Dictionary in the <i>Roads Act 1993</i> to exercise the functions of an authorised officer for the purposes of section 243 of the <i>Roads Act 1993</i> (the issuing of penalty notices) but only in respect of the offences described in clauses 11(1)(a), 11(1)(b) (both offences), 11(1)(d), 11(3)(a), 11(3)(b), 11(3)(c), 11(3)(d), 15, 16, 33(1), 34, 35(a), 35(b) & 35(c), 38(2) and 39(3) of the <i>Roads Regulation 2008</i> .	GM Road Network Operations
	9180	Authorise a person (being an employee RMS or Transport for NSW) as an "authorised officer" as defined in the Dictionary in the <i>Roads Act 1993</i> for the purpose of giving directions on a tollway pursuant to clause 38 of the <i>Roads Regulation 2008</i> .	GM Road Network Operations

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
Appointment and approval of Authorised Officers and Approved Persons (cont'd)	9185	Delegate to persons authorised or appointed as an "authorised person" "appropriate officer", 'approved person', or as otherwise required to be authorised by RMS, to exercise functions under section 115 of the <i>Roads Act 1993</i> and clause 39 of the <i>Roads Regulation 2008</i> .	GM Road Network Operations	
	9190	To authorise a person as an Impounding Officer on behalf of Roads and Maritime Services as an Impounding Authority for the purposes of the <i>Impounding Act 1993</i> .	GM Road Network Operations	

5.9.6 Parking and Crossing schemes

Activity	No.	Delegation Clause		Resp Dir.
		Variables	Delegate	
	9200	Approve a phone payment scheme under Clause 3(1) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9205	Authorise a person or class of persons to conduct an authorised children's crossing scheme under Clause 37(1)(b) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9210	Revoke an authorisation to exercise the functions of an authorised children's crossing scheme under Clause 37(1)(c) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9215	Approval of meter parking schemes not facilitating the use of cash under Clause 60(9) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9220	Approval of ticket parking schemes not facilitating the use of cash under Clause 66(8) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9225	Approval of payment methods for coupon parking schemes under Clause 73(2)(c) of the <i>Road Transport (General) Regulation 2013</i> .	<ul style="list-style-type: none"> Network General Manager NSW Network General Manager Sydney 	
	9230	Establish pay parking guidelines under Clause 83 of the <i>Road Transport (General) Regulation 2013</i> .	Chief Operating Officer	
	9235	Issue permit parking guidelines under Clause 95(5) of the <i>Road Transport (General) Regulation 2013</i> .	Chief Operating Officer	

5.10 Marine Regulatory Delegations

This section contains the regulatory delegations for maritime functions across RMS Divisions including NSW Maritime Division, Corporate and Commercial Division, Asset Maintenance Division and Safety and Compliance Division.

General Conditions of Delegation for Marine Regulatory Delegations

Section 5.10 forms part of the Delegations Manual. All Principles of Delegation and General Conditions which apply to the Delegations Manual also apply to this Section.

These additional General Conditions apply to this part and govern how the regulatory delegations apply. Individual delegations must be read in conjunction with these principles.

1. The statutory provision that creates a function determines the scope of the delegated function.
2. The exercise of a delegated function is limited by any stated conditions.
3. A delegation to a position is also a delegation to any more senior position to which the first position reports.
4. Conditions apply equally to the more senior position unless a separate unlimited delegation is made to the more senior position.
5. The brief description in the table does not limit or alter the scope of the statutory power in any way. The description is included to assist with reading the table. A delegate must refer to the statutory provision when exercising a function.
6. Where a general delegation is made, the function may only be exercised by positions identified in established policies and procedures or in accordance with criteria established for an automated IT system.
7. Each function delegated to a Customer Service Officer (CSO) may also be exercised by a Customer Service Coordinator (CSCO) or a Customer Service Officer Driver Tester (CSODT), subject to any stated conditions.
8. Each function delegated to the Manager Operations North may also be exercised by Manager Operations Far North and Manager Operations Hunter.

This part of the Delegations Manual is displayed in a spreadsheet. The following table explains how to read the spreadsheet.

Column title	Effect of column content
Number	Each different function has been assigned a different delegation number. Where the same function is delegated to multiple positions, the delegation number is the same.
Name of legislation	Identifies the title of the legislation containing the function being delegated.
Section/ Clause	Identifies the statutory provision containing the function that has been delegated. Functions under a single provision that are delegated to different positions are shown in separate rows.
Brief description of power	Describes the delegated function to assist with reading the table. This description does not limit or alter the scope of the delegated function in any way. When exercising a function the delegate must refer to the provision creating the function.
Position title	Identifies each position authorised to exercise the function.

Column title	Effect of column content
Unit, Section, Branch, Division	The Unit, Section, Branch or Division of the position to which the function has been delegated.
Conditions	Identifies limits imposed on the authority to exercise a function. Conditions apply equally to a more senior position able to exercise the function, unless an unlimited delegation is made to the more senior position.
Primary, Secondary, Tertiary business function	Broad categories to assist with sorting the table and with reviewing and updating delegations.

How to use the document

Section 5.10 of the Delegations Manual can be accessed by clicking [here](#).

Improvement Plan Progress Report – Roads & Maritime Services

This report must be completed and submitted quarterly to the Accreditation Unit NSW. The report is due on the following dates:

- Q1 (January, February, March): 15 April each year
- Q2 (April, May, June): 31 August each year
- Q3 (July, August, September): 15 October each year
- Q4 (October, November, December): 31 January each year

Improvement recommendations have been prioritised as High, Medium or Low.

Improvement status of recommendations are compiled by the Procurement Branch along with Information Management & Information Technology (IM&IT) and Regional Maintenance Delivery (RMD) which are RMS' high spend/transaction non-construction areas and contribute to the achievement of improvement recommendations.

The following points are why the below mentioned 'Planned End Dates' have been moved to the 20th December 2016 or 30th June 2017:

1. Continue to close the gaps from the findings and recommendations that came out of an RMS Audit & Risk report on the procurement process. The Procurement Branch has scheduled one-on-one follow up session with each of the ten project manager's to re-enforce procurement compliance;
2. Complete procurement awareness training modules to the business i.e. how to develop a procurement strategy;
3. Finalise, publish and rollout the Contract Management Framework to the business;
4. Finalise negotiations with TSS to embed a Supplier Relationship Management (SRM) resource within the RMS Procurement Branch;
5. Wave 2 ERP implementation has been delayed to July 2017 to roll out the strategic sourcing module (SAP Ariba).

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
1.1 Procurement Function Strategy (PFS): PFS reporting requirements do not clearly align to the RMS Corporate Plan reporting undertaken by procurement hence CE review of the PFS is not clear. Recommendation 1.1: Align PFS KPI reporting to the procurement reporting against the RMS Corporate Strategy.	30/06/16		<u>Quarter 2</u> R1.1 = 100% <u>Quarter 1</u> R1.1 = 100%	M	<u>Quarter 2</u> R1.1: Same as Q1, and; RMS Corporate & Commercial Delivery Plan 2016/17 is currently being developed and will align new initiatives to Procurement Branch's 3 year PFS. The RMD Procurement Unit met all direct and indirect procurement deliverables in the 2015/16 RMD Business Plan, which is a subset of the Asset Maintenance Divisional Strategy. Note: The Procurement Branch has met all requirements of this recommendation for financial year 2015/16.

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>Quarter 1</p> <p>R1.1: RMS Corporate Delivery Plan 2015/16 has been developed and aligns to the Procurement Functional Strategies KPI's and initiatives. The hierarchy from a Branch level has been developed and linked to WoG and Transport Cluster. IT Commercial Management has sourcing initiatives aligned to respective strategic deliverables in the IM&IT Branch Delivery Plan, which underpins and enables the RMS Delivery Plan 2015/6.</p>
<p>1.2 Procurement Management Plan (PMP): The PMP does not clearly provide an analysis of:</p> <ul style="list-style-type: none"> internal and external market data as a driver for the category strategies robust analysis of external market information and analysis <p>Recommendation 1.2: Update the PMP to provide clear reference to internal and external market data (including information and analysis) as part of the category strategies</p>	30/06/16		<p>Quarter 2 R1.2 = 100%</p> <p>Quarter 1 R1.2: = 60%</p>	M	<p>Quarter 2</p> <p>R1.2: Same as Q1, and;</p> <p>As Transport for NSW publishes procurement plan information on the eTendering website on behalf of the cluster, RMS is not required to separately provide the Procurement Management Plan and Report and Program of Works on a quarterly basis.</p> <p>Quarter 2 has seen an increase in requests for external market analysis through IBIS World reports. In addition there was a pilot conducted with Procurement Oversight Group members on the improved monthly reporting regime, which provides greater information on internal spend data. For example; spend under contract.</p> <p>The Procurement Branch continues to encourage, educate and train RMS staff on the importance of developing procurement strategies that include internal and external market analysis to demonstrate value for money. In Q3 & 4, phase 2 of procurement awareness training will be rolled out, which will include modules such as how to develop a Procurement Strategy.</p> <p>Note: A new PMP is to be developed over the next 12 months in preparation for Procurement goods and services re-accreditation that expires in January 2018.</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>Quarter 1</p> <p>R1.2: The Procurement Analyst within the Procurement Branch is working closely with a number of business units to assist with conducting internal and external market analysis and to assist with the development of procurement and category strategies.</p> <p>The Procurement Analyst is also consulting with the Procurement Oversight Group to further develop reporting capabilities to meet their specific business requirements.</p> <p>IbisWorld Licenses are owned by the Procurement Branch which provides access to the latest market research and is extended to Branches in providing them with assistance on up-to-date market reports when developing Procurement Strategies or deciding on their procurement approach.</p> <p>Transport Shared Services provide a cluster wide IT Category Plan which is reviewed and updated on a quarterly basis. The IT Category Plan reports spend across the Transport Cluster for IT contracts and across the highest spend suppliers to assist in identifying areas for rationalisation and cost savings.</p> <p>A Cluster wide IT Category Plan working group has been established which meets quarterly to discuss the contents of the IT Category Plan. Separately, IT Commercial Management has a Gartner license which provides IM&IT with access to the latest Gartner research & market data. The license can be extended to provide direct access to Gartner Analysts, if required. IT Commercial Management consults with Gartner prior to developing any Procurement Strategy.</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>The Asset Maintenance Division is current drafting Procurement Strategies where multiple year supply and service agreements are being contemplated.</p> <p>An RMS specific Labour Hire category plan that will allow RMS to look at specific category strategies is also in the early stages of development.</p>
<p>1.3 Performance against PFS and PMP the quarterly reviews against the PFS and PMP are planned but not commenced and role of the CE in the review process is not clear.</p> <p>Recommendation 1.3. 1: Demonstrate that the quarterly reviews of both the PMP and PFS have been conducted as planned and the CE was involved in a review of the PFS, at least annually</p> <p>Recommendation 1.3.2: Demonstrate that the established governance structure (the POG) has tracked progress of improvement initiatives</p>	30/06/16		<p>Quarter 2 R1.3.1 = 100%</p> <p>R1.3.2 = 100%</p> <p>Quarter 1 R1.3.1 = 80%</p> <p>R1.3.2 = 80%</p>	M	<p>Quarter 2 R1.3.1: Same as Q1.</p> <p>R1.3.2: Same as Q1 above, and; The Procurement Branch reports accreditation improvement plan progress to the Procurement Oversight group bi-monthly.</p> <p>The Procurement Branch has met all requirements of this recommendation for financial year 2015/16.</p> <p>Quarter 1 R1.3.1: The CPO provides quarterly updates to the Chief Executive on the progress of the PFS & PMP.</p> <p>R1.3.2: PFS & PMP review is an agenda item on the bi-monthly Procurement Oversight Group (PoG).</p> <p>The PFS has been summarised to a 'Plan on a Page' and is communicated to the PoG and Chief Executive to track KPI's through a traffic light tool to indicate progress. This also links the PFS to each of these 'Improvement Recommendations' via an Accreditation Improvement Plan.</p> <p>The Regional Maintenance Delivery Branch has a Senior Management Team "Plan on a Page" which is consistent with the corporate format.</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
2.1 Procurement Governance Structure <ul style="list-style-type: none"> Evidence of governance structure – either a committee or clear delegate review is missing from most projects Currently RMS Central Procurement Group do not manage any entity contracts so have limited ability to demonstrate new procurement tools and systems R2.1.1: (refer to R3.1) R2.1.2: RMS Central Procurement Group manage a key entity procurement process and/or contract to highlight ongoing management of procurement performance and demonstrate tools and systems, especially supplier relationship management and benefits realisation.	30/06/16 New Planned End Date: 20/12/16		Quarter 2 R.2.1.1 = 100% R2.1.2 = 80% Quarter 1 R.2.1.1 = 70% R2.1.2 = 60%	M	Quarter 2 R2.1.1/2: Same as Q1, and; The Procurement Branch has appointed a Contract Manager for the next 12 months to manage high value and high risk RMS contracts to help manage performance. These contracts extend to; TSS, Print Management, Uniforms, Armguard, Rozelle Bus Contract and Maritime Vessels, A business case is in development to acquire funding to appoint a permanent Contract Manager within the Procurement Branch. The RMD Procurement Unit has appointed a Procurement Manager, who has brought to the role a high level of strategic sourcing capabilities. A Strategic Sourcing Business Plan is currently under senior management review. The RMD Procurement Unit has recently introduced detailed Category Planning, Contract Management Planning and strengthened its Procurement Strategies. IT Commercial Management is subject to consistently and appropriately applied governance, with Terms of Reference being regularly reviewed and updated to ensure ongoing governance of IT Procurement and Projects. IT Project Governance takes a three tiered approach to governance based on project value, and is chaired by RMS employees in line with the RMS Delegation of Authority Framework. All new IT projects go through IT Governance prior to approval and commencement.

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p><u>New Planned End Date:</u> further negotiations with Transport Shared Services and RMS Procurement Branch are continuing to embed a Supplier Relationship Management (SRM) resource within the RMS Procurement Branch. This resource will develop a whole of RMS SRM framework.</p> <p>Quarter 1 R2.1.1/2: The CPO and Corporate General Managers attend monthly client management meetings with RMS' high spend shared services provider (TSS) to manage the performance of the Service Agreement that is in place with them. The Procurement Branch, in collaboration with HR, Finance & IT is developing a Contract Management Plan (CMP) to form a Business Case so that the Procurement Branch can formally performance manage the TSS Service Level Agreement. Furthermore, the Procurement Branch is sharing learnings with Sydney Trains, who also use this shared service within the Transport cluster.</p> <p>A Business Review Unit (BRU) has been established by the Chief Executive as a key governance committee to provide independent advice and assurance back to the Chief in relation to planned procurement activity. The Chief Procurement Officer is a committee member.</p>
2.2 Procurement Risk <ul style="list-style-type: none"> Procurement risk assessment and management needs to be recorded and clearly assigned across all key project phases, including planning, source to managing. High value and or high risk procurement projects should record risk reviews at each gateway 	30/06/16 New Planned End Date: 20/12/16		<p>Quarter 2 R2.2 = 85%</p> <p>Quarter 1 R2.2 = 75%</p>	M	<p>Quarter 2: R2.2: The Audit & Risk Branch conducted a Procurement Performance Compliance Review on 10 procurement projects across RMS. The review objective was to assess whether mandatory procurement requirements had been met.</p> <p>The review indicated that there are no major significant gaps in completion of required documents. The</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
R2.2: Periodically review procurement projects for application of risk assessment and management across the whole project phases consistent with RMS tools and systems					<p>Procurement Branch is to follow-up with individual areas where required documentation was not produced.</p> <p>A further desktop review of 5 procurements to assess the adequacy of documentation in line with requirements of the procurement manual will be conducted and a repeat review in August 2016 and every six months thereafter will be carried out by the Audit & Risk Branch.</p> <p>The Procurement Branch has facilitated a 'Procurement in Safety' working group, which identified safety risks and developed a Safety Management System (SMS) in collaboration with the WHS Branch and other key internal stakeholders. The SMS is due to be implemented in September 2016.</p> <p>IT Commercial Management ensure that each procurement undertaken that relies on a Procurement Strategy has had an appropriate risk assessment conducted, and risk mitigation strategies are put in place where required.</p> <p>IT Commercial Management leverages the IT Security and Risk team when required to ensure that IT Procurements meet the required and relevant regulatory and legislative requirements for IT Services including Data Protection, GIPA and Information Management.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report.</p> <p>Quarter 1: R2.2: The Procurement Branch is collaborating with Audit & Risk Branch and has agreed that at least ten procurement projects are audited per annum and a report compiled to be communicated to Senior Executives and</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>the Procurement Oversight Group on the results.</p> <p>Audits on Professional Services Contractors (PSCs) and Skill Hire across all Divisions have been conducted and the final report delivered.</p> <p>IM&IT Technology Risk has developed a standardised Risk Assessment process and IT Security Questionnaire which is used to assess risk in larger IT sourcing initiatives. IT Commercial Management must identify risks prior to sourcing as part of the RMS Procurement Strategy template.</p> <p>The Regional Maintenance Delivery Branch is working with the Audit & Risk Branch to map the procurement process for the purpose of mitigating operational risk and has collaborated with the Assessment Branch in putting into practice a Commercial and Financial Risk Mitigation process, which is being applied at the front end of the Procurement Lifecycle to manage risk.</p> <p>Risk identification and management in procurement is also part of the 'Round the State' Procurement training program aimed at making decision makers aware of potential risks.</p>
<p>3.1 Business case Consistent demonstration of business case requirements either separate to, or within procurement strategies. Report against business case outcomes as part of post-project reviews.</p> <p>R.3.1 Continue to implement processes from the current RMS Procurement Manual with advice/support of CPO/Central Procurement team with a view to demonstrate that the procurement strategy and implementation for all</p>	<p>30/06/16</p> <p>New Planned End Date: 20/12/16</p>		<p>Quarter 2 R.3.1 = 85%</p> <p>Quarter 1 R.3.1 = 70%</p>	H	<p>Quarter 2 R.3.1: Same as Q1, and;</p> <p>The Procurement Branch, in collaboration with the Audit & Risk Branch and TSS, has conducted full-day training sessions to 8 regional and 2 metro areas to RMS staff, who carry out procurement activities in alignment with the Procurement Policy and Manual. The training aimed to increase staff's understanding of the procurement process and obligations when procuring goods and services on behalf of Roads and Maritime Services. Further training sessions will be scheduled later in the</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<p>projects are conducted consistent with the RMS Procurement Manual prior to their commencement. Key areas to be addressed to demonstrate are:</p> <ul style="list-style-type: none"> ○ Business case evidence linked to post project performance review ○ Spend analysis ○ Demand drivers and methods to manage demand drivers ○ Market analysis ○ Industry expertise involvement ○ Sourcing approach with strategic assessment of opportunities, including use of negotiations ○ Compliance to tendering and evaluation requirements ○ Negotiation and contract management, including use of contract management plans ○ Application of the current Supplier Relationship and Performance Management Framework across contracts ○ Frequency of updates to the Benefits Realisation Register ○ Post project review of procurement resource allocation. 					<p>year.</p> <p>The Audit & Risk Branch conducted a Procurement Performance Compliance Review on 10 procurement projects across RMS. The review objective was to assess whether mandatory procurement requirements had been met.</p> <p>The review indicated that there are no major significant gaps in completion of required documents. The Procurement Branch is to follow-up with individual areas where required documentation was not produced.</p> <p>The RMD Procurement Unit was externally audited by KPMG and only non-material minor improvements opportunities were revealed.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk procurement performance compliance audit report.</p> <p>Quarter 1 R.3.1: The Procurement Branch has developed a Procurement Community of Practice (CoP) held on a quarterly basis to bring together RMS staff who conduct procurement activities. The CoP is an opportunity to share knowledge and learnings of procurement activities and promote the procurement manual and policies. Workshops are being provided to assist with the development of procurement staff.</p> <p>Training workshops conducted are ICAC Procurement Training, Probity Training and training on how to use E-Tender and E-Quote systems.</p> <p>E-learning modules have been developed with the</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>Department of Finance, Services and Innovation (DFSI) which align to Procurement in Government Certification IV learning content and RMS Procurement Manual. A Governance (level 1) e-learning specification has been signed off and is currently in development.</p> <p>The Procurement Branch, in collaboration with IM&IT, Legal and Audit & Risk Branches, has conducted half-day training sessions for RMS staff who carry out procurement related activities in alignment with the Procurement Policy and Manual. The training aims to increase staff's understanding of the procurement process and obligations when procuring goods and services on behalf of Roads and Maritime Services. Regional training sessions will be conducted in April and May 2016.</p> <p>The Procurement Manual and templates have been revised to align with Accreditation Improvement Plan recommendations and to improve the usability for staff.</p> <p>The Procurement Branch is collaborating with the Audit & Risk Branch to develop an Audit Plan to audit a certain number of procurement projects across all Divisions on a bi-annual basis.</p> <p>Implementation of revised Purchase Card policy and procedures to transition low value spend (<\$5000) away from PO process has been rolled out.</p> <p>The IM&IT Branch has implemented the Transport Cluster Project Execution Framework Methodology (PEFM) which includes processes, templates and guides for IT related projects. This includes requirements and processes for developing business cases.</p> <p>This has recently been expanded to include a new</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					Benefits Identification and Realisation process which is currently in the pilot stage.
3.2 Spend Analysis Conduct detailed spend analysis as part of planning for higher value projects. Key areas to address are: (i) focus on opportunity assessment; (ii) baseline developed from data and validation conducted with finance and business stakeholders; (iii) improvement opportunities framed on the detailed analysis and benefits estimates. R.3.2 (refer to R3.1)	30/06/16 New Planned End Date: 20/12/2016		<u>Quarter 2</u> R3.2: = 85% <u>Quarter 1</u> R3.2: = 50%	H	<p><u>Quarter 2</u> R.3.2: Same as Q1, section 3.1, and;</p> <p>The RMD Procurement Unit now actively reports spend analysis to the Senior Management Team. This intelligence is used to positively influence spend practices, for which the GM has endorsed a forward planning approach to the “Top 50 major projects.</p> <p>Each IT Procurement undertaken that is subject to a Procurement Strategy includes significant spend analysis on both upfront implementation costs, as well as ongoing analysis throughout the term of the contract.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and to review new spend reports out of the Transport Equip system.</p> <p><u>Quarter 1</u> R.3.2: As per comments in above recommendation 3.1</p> <p>Transport Shared Services Procurement currently provide spend reporting and IT Category Management as a service to IM&IT.</p> <p>An RMS specific spend report and RMS specific IT Category Plan is under development. Currently this information is produced by TSS Procurement on an as required basis.</p> <p>Note earlier comment about the early stage development of an RMS specific Skill Hire category management plan.</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
3.3 Demand/needs analysis Demand and needs analysis are feature of the new RMS procurement tools but there was limited demonstration of its application from prior projects. Consistency of application and use an area for improvement. R3.3 (refer to R3.1)	30/06/16 New Planned End Date: 20/12/2016		Quarter 2 R3.3: = 85% Quarter 1 R3.3: = 50%	H	Quarter 2 R.3.3: Same as Q1 and section 3.1. <u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and to review new spend reports out of the new Transport Equip system. Quarter 1 R.3.3: As per comments in above recommendation 3.1
3.5 Supplier market analysis Supplier market analysis and use of industry experts is a feature of the new RMS procurement tools but there was limited demonstration of its application from prior projects – application of new sourcing strategy is important to transition from a tendering organisation to a procurement organisation. R3.5 (refer to R3.1)	30/06/16 New Planned End Date: 20/12/2016		Quarter 2 R3.5: = 85% Quarter 1 R3.5: = 50%	H	Quarter 2: R.3.5: Same as Q1 and section 3.1. The RMD Procurement Unit now has an Analyst as a shared resource, who is completing market analysis to underpin all Procurement Strategies and Category Plans. <u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report. Quarter 1: R.3.5: As per comments in above recommendation 3.1 IT Commercial Management has a Gartner license and the Procurement Branch holds IbisWorld Licenses which provide access to the latest research & market data which all Branches within RMS can have access to through the Procurement & IM&IT Branches.
3.6 Sourcing Strategy Strategic assessment of opportunities for sourcing approach which may be alternatives to conventional tendering processes can be further explored within the sourcing strategies consistent with detailed supplier market	30/06/16 New Planned End Date: 20/12/2016		Quarter 2 R3.6: = 85% Quarter 1 R3.6: =	H	Quarter 2: R.3.6: Same as Q1 and section 3.1. RMD Procurement Strategies and activities have championed new market engagement and contracting methodologies including Early Contractor Involvement and a bespoke delivery model. Extending to Managing



Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<p>analysis. Negotiations could be specifically considered in sourcing strategy documents.</p> <p>R3.6 (refer to R3.1)</p>			50%		<p>Contractor arrangements.</p> <p>IT Commercial Management have identified key areas within IM&IT that may benefit from alternative approaches to conventional sourcing that has been undertaken thus far within RMS. This includes panel arrangements and developing strategic relationships with key IT vendors (such as PSC providers).</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and deliver addition “how to develop a procurement strategy” training to the business.</p> <p><u>Quarter 1:</u> R.3.6: As per comments in above recommendation 3.1</p> <p>In accordance with the RMS Procurement Manual, all RMS Branches develop a Procurement Strategy for all sourcing initiatives involving spend of over \$250k, or for high risk procurements. The Procurement Branch endorses all Procurement Strategies which are then logged, recorded and communicated to the PoG.</p>
<p>3.7 Tendering and Evaluation Consistent application of the new RMS procurement manual so that all procurement projects have in place clear evaluation steps as represented in evaluation plans.</p> <p>Procurement currently relies mostly on manual system controls and automated controls can be enhanced in line with ERP implementation.</p> <p>R3.7 (refer to R3.1 and R4.1)</p>	<p>30/06/16</p> <p>New Planned End Date: 20/12/2016</p>		<p><u>Quarter 2</u> R3.7: = 85%</p> <p><u>Quarter 1</u> R3.7: = 50%</p>	H	<p><u>Quarter 2:</u> R.3.7: Same as Q1 and section 3.1.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and deliver addition procurement training to the business.</p> <p><u>Quarter 1:</u> R.3.7: As per comments in above recommendation 3.1</p> <p>E-learning modules have been developed with the Department of Finance, Services and Innovation (DFSI)</p>

Improvement Plan Progress Report – Roads & Maritime Services



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					<p>which align to Procurement in Government Certification IV learning content and RMS Procurement Manual. A Governance (level 1) e-learning specification has been signed off and is currently in development.</p> <p>The Regional Maintenance Delivery Branch is adopting the key learnings from recent TfNSW Legal Professional Development seminars into the procurement process.</p>
3.8 Negotiation and contract award <ul style="list-style-type: none"> Understanding and use of negotiation plans and risk assessments as part of contract award to be enhanced Negotiation framework in ROMS not aligned to new RMS Procurement Manual negotiation protocol to be executed by both parties covering governance and behaviour/confidentiality not evident R3.8: (refer to R3.1 and R6.3)	30/06/16 New Planned End Date: 20/12/2016		<u>Quarter 2</u> R3.8: = 85% <u>Quarter 1</u> R3.8: = 50%	H	<p>Quarter 2: R3.8: Same as Q1 and section 3.1.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report.</p> <p>Quarter 1: R3.8: As per comments in above recommendation 3.1</p> <p>E-learning modules have been developed with the Department of Finance, Services and Innovation (DFSI) which align to Procurement in Government Certification IV learning content and RMS Procurement Manual. A Governance (level 1) e-learning specification has been signed off and is currently in development.</p>
3.9 Fulfil <ul style="list-style-type: none"> management of the implementation of new contracts and on-boarding of successful suppliers and transition between suppliers. Utilisation of existing contracts for spend can be more closely monitored with clear monitoring of non-compliance. R3.9.1 (refer to R3.1)	30/06/16 New Planned End Date: 20/12/2016		<u>Quarter 2</u> R3.9.1/2: = 85% <u>Quarter 1</u> R3.9.1/2: = 50%		<p>Quarter 2: R3.9: Same as Q1 and section 3.1.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report.</p> <p>R3.9.2: The Procurement Branch, in collaboration with the Audit & Risk Branch and TSS, has conducted full-day training sessions to 8 regional and 2 metro areas to RMS staff who carry out procurement related activities</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
R3.9.2: Develop and implement RMS training for staff trained on implementation and on-boarding procedures and protocols, and incorporate in PDR process.					<p>in alignment with the Procurement Policy and Manual. The training aimed to increase staff's understanding of the procurement process and obligations when procuring goods and services on behalf of Roads and Maritime Services. Further training sessions will be scheduled later in the year.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report.</p> <p>Quarter 1: R3.9: As per comments in above recommendation 3.1.</p> <p>The Transport Cluster ERP will assist managing the on-boarding of suppliers. It will also assist in monitoring and measuring non-compliant spend.</p>
3.10 Contract Management <ul style="list-style-type: none"> agree contract management plans with suppliers. contract management activities include processes for risk and change management. consider supplier incentives for continuous improvement as part of contract management. R3.10.1 (refer to R3.1) R3.10.2: Develop and implement provisions for incentivising suppliers to strive for continuous improvement in contract management plans.	30/06/16 New Planned End Date: 30/06/2017		Quarter 2 R3.10.1/2: = 85% Quarter 1 R3.10.1/2: = 50%	H	<p>Quarter 2: R3.10.1/2: Same as Q1 and section 3.1.</p> <p>IT Commercial Management continues to leverage the IT Contract Management Framework to ensure value is delivered by IT suppliers.</p> <p>IT Commercial Management continues to improve on contractual clauses that drive positive behaviour from vendors including continuous improvement obligations. Contractual clauses that allow for continuous improvement are reviewed on a contract by contract basis as each contract is executed. This includes reductions in contract leakage and provision of value added services.</p> <p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and to finalise, publish and communicate the Contract</p>

Improvement Plan Progress Report – Roads & Maritime Services

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					<p>Management Framework to the business.</p> <p>Quarter 1: R.3.10.1/2: As per comments in above recommendation 3.1</p> <p>IT Commercial Management has implemented the Transport Cluster IT Contract Management Framework (CMF) across of all of its IT contracts. The IT CMF outlines key processes, template and guides across five functional towers including Contract Admin/Sourcing, Performance Management, Financial Management, Contract Management and Supplier Management. The Contract Management tower includes risk registers, and governance documents which IT Commercial Management has rolled out across its 'Partially Managed' and 'Fully Managed' contracts.</p> <p>Part of the IT CMF is a Contract Management Plan template which IT Commercial Management has developed for each contract under its management.</p> <p>An RMS Contract Management guidance document has been drafted ahead of the development of a Contract Management Framework.</p>
<p>3.11 Supplier Relationship Management</p> <ul style="list-style-type: none"> improve consistency in supplier relationship management, especially KPI monitoring and senior oversight, demonstrated through records, reporting and capability. <p>R3.11.1 (refer to R3.1)</p> <p>R3.11.2: Develop and implement RMS training for staff trained in implementation and on-boarding procedures and protocols incorporating</p>	<p>30/06/16</p> <p>New Planned End Date: 20/12/2016</p>		<p>Quarter 2 R3.11.1/2: = 85%</p> <p>Quarter 1 R3.11.1/2: = 50%</p>	H	<p>Quarter 2: R.3.11.1/2: Same as Q1 and section 3.1, and;</p> <p>The RMD Procurement Unit hosts relationship meetings with its panel members.</p> <p>New Planned End Date: Procurement Branch to finalise negotiations with TSS to embed a Supplier Relationship Management (SRM) resource within the RMS Procurement Branch.</p> <p>Quarter 1:</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
the PDR process.					<p>R.3.11.1/2: As per comments in recommendation 3.1.</p> <p>IT Commercial Management has rolled out the approved IT Contract Management Framework (IT CMF) which applies to all IT supplier related contracts.</p> <p>Supplier Management is one of the five functional towers included in the IT CMF. This tower includes processes for developing Supplier Management Plan and Customer Satisfaction Surveys.</p> <p>Performance against KPI's is handled under the Performance Management tower which IT Commercial Management has implemented across its 'Partially Managed' and 'Fully Managed' contracts.</p> <p>Part of the IT CMF is to develop a CMP for every contract managed by IT Commercial Management.</p> <p>RMS also participates in the cluster and whole of government SRM activities.</p>
<p>3.12 Benefits Realisation</p> <ul style="list-style-type: none"> improve involvement of RMS Finance and/or Treasury in the benefits realisation process increase reporting on benefits realisation and maintenance of benefits realisation register by Central Procurement Unit. <p>R3.12.1 (refer to R3.1)</p> <p>R3.12.2: Central Procurement Unit maintain the benefits realisation register and include Procurement Oversight Group reporting.</p>	<p>30/06/16</p> <p>New Planned End Date: 20/12/2016</p>		<p>Quarter 2 R3.12.1/2: = 85%</p> <p>Quarter 1 R3.12.1/2: = 50%</p>	H	<p>Quarter 2: R.3.12.1/2: Same as Q1 and section 3.1, and;</p> <p>The Procurement Branch report to the Procurement Oversight Group (PoG) on tracked Benefits Realisation on a bi-monthly basis from all Procurement Strategies that come through Procurement Branch.</p> <p>Bottom up planning and robust spend management has enabled the RMD Procurement Unit to provide a full year forward projection on Benefits realisation that is reported through to the Senior Management Team, Directors and NSW Treasury. In 2015/16, the RMD Procurement Unit delivered 100% of its benefits savings forecast, whilst identifying additional savings.</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p><u>New Planned End Date:</u> continue to close the gaps from the findings and recommendations that came out of the Audit & Risk Procurement Projects audit report; and work with TSS to develop and report a quarterly benefits realisation report.</p> <p>Quarter 1 R.3.12.1/2: As per comments in section 3.1.</p> <p>A revision of the Benefits Realisation template is underway along with a 'how to guide' to be circulated to Business Units.</p> <p>As part of the Transport Cluster Project Execution Framework Methodology (PEFM), the IM&IT Branch has developed a new Benefits Identification and Realisation process which is being piloted.</p> <p>The Regional Maintenance Delivery Branch Senior Management Team has signed off the projected Efficiency and Effectiveness savings for FY2015/16, which are tracked through the monthly SMT report. The sign-off process included capturing the risk elements and mitigations.</p>
<p>4.1 Availability of tools and systems Tools and systems are not yet in a single platform with end to end functionality with the implementation of ERP. Further, RMS needs to map how the end to end procurement business will be delivered.</p> <p>R4.1 Improve procurement as part of automating procurement business requirements across key ERP waves as part of the transition to an end to end system.</p>	<p>31/07/16</p> <p>New Planned End Date: 30/06/2017</p>		<p>Quarter 2 R4.1: = 90%</p> <p>Quarter 1 R4.1: = 80%</p>	H	<p>Quarter 2: R4.1: RMS has an ERP Program Team dedicated to the implementation of ERP (Transport Equip) for all streams i.e. HR, Finance and Procurement. HR stream went live in March-16 and the Finance and Procurement streams went live on 4th July 2016. The Procurement Branch has been supporting the ERP Program Team in preparation for go-live. This extended to integrity of the migration of vendor data and contracts, user acceptance testing, developing training material and updating procurement templates, policies, procedures and RMS internet and</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>intranet sites.</p> <p>IM&IT is now a commodity approver for all ICT spend across RMS. This has increased visibility of ICT spend since ERP go-live in July 2016. Automation of processes and broader use of functionality is due to roll out in later Wave 2.</p> <p><u>New Planned End Date:</u> Wave 2 ERP implementation has been delayed to roll out the strategic sourcing module (SAP Ariba), in July 2017.</p> <p><u>Quarter 1:</u> R4.1: The Transport Cluster is currently rolling out and implementing ERP modules in a staged approach to streamline and standardised the framework for corporate shared services and shared services across the Transport cluster.</p> <p>The Procurement Branch attends regular ERP workshops for the procurement stream to assist with driving the change management process across RMS. This includes key stakeholder & SME input into blueprint design, as well as introductory awareness sessions and communications to the business informing of the step change to an automating procurement process.</p> <p>More specifically, representatives from the IM&IT & Regional Maintenance Delivery Branches have been attending the ERP workshops which involve sourcing, contract/supplier management, and purchase order requisitions.</p>
5.1 Information Management and Reporting Data on expiring contracts need to be clearly captured and migrated from CM21 to ERP and be utilised as part of single source procurement dashboard reporting.	30/06/16 New Planned End Date:		<u>Quarter 2</u> R5.1: = 90%	L	<p><u>Quarter 2:</u> R5.1: Same as Q1 and section 4.1.</p> <p>The RMD Procurement Unit now has an Analyst as a shared resource, who is completing market analysis as</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
R5.1: Develop a data transition plan to migrate contract data onto ERP and revise the procurement dashboard report to be sourced almost exclusively from procurement data with ERP.	30/06/2017		<u>Quarter 1</u> R5.1: = 70%		<p>well as collating key performance analytics and metrics which is reported to the Branch and Divisional leadership teams.</p> <p><u>New Planned End Date:</u> Wave 2 ERP implementation has been delayed to roll out the strategic sourcing module (SAP Ariba), in July 2017.</p> <p>FY2016/17 will see the realisation of better reporting and useable procurement data post ERP implementation in July 2016. This data will enable RMS Procurement Branch to format a dashboard report.</p> <p><u>Quarter 1:</u> R5.1: The Procurement Analyst within the Procurement Branch holds monthly meetings with TSS (who have reporting obligations as part of the Service Level Agreement between RMS & TSS). The reporting includes contract non-disclosure compliance and metric dashboards as well as 26 agreed procurement KPI's.</p> <p>Separately, IT Commercial Management has undertaken an audit of IM&IT's compliance against GIPA disclosures with results communicated to the Procurement Branch.</p> <p>An expiring contracts register has been developed in collaboration with TSS for the Procurement Analyst to reach out to Business Units to assist them with the development of procurement strategies and/or inform them of the procurement procedure for upcoming expiring contracts that have potential to be renewed.</p> <p>IT Commercial Management has developed and maintains its own Contract Register which hold the details (including expiry dates) of all IT related contracts across the Transport Cluster.</p>

Improvement Plan Progress Report – Roads & Maritime Services

Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>The ERP programme has a transition plan to migrate all contracts from CM21 to ERP. RMS has the following three go-live stage dates:</p> <p>Wave 0 – July 2015 (contract register in scope) Wave 1 – March 2016 (contract administration in scope) Wave 2 – July 2016 (full contract management in scope)</p>
<p>6.2 Level of capability Central procurement to directly manage key categories and contracts so as to demonstrate applied procurement leadership.</p> <p>R6.2. (refer to R2.1.2)</p>	<p>30/06/16</p> <p>New Planned End Date: 20/12/2016</p>		<p>Quarter 2 R6.2: = 70%</p> <p>Quarter 1 R6.2: = 60%</p>	M	<p>Quarter 2: R6.2: Same as Q1, and;</p> <p>A business case is in development to acquire funding to appoint a permanent Contract Manager within the Procurement Branch to performance manage high value and risk contracts.</p> <p>The RMD Procurement Unit is currently preparing to go to market for a Category Manager for Tier 1 categories, to further strengthen the capabilities and professionalism of the unit</p> <p><u>New Planned End Date:</u> Procurement Branch to finalise negotiations with TSS to embed a Supplier Relationship Management (SRM) resource within the RMS Procurement Branch.</p> <p>Quarter 1: R6.2: The CPO and Corporate & Commercial General Managers attend monthly client management meetings with RMS' high spend shared services provider (TSS) to manage the performance of the Service Level Agreement that is in place with them. The Procurement Branch, in collaboration with HR, Finance & IT is developing a Contract Management Plan (CMP) and Supplier Relationship Management Plan to form a business case</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>so that the Procurement Branch can formally manage the TSS Service Level Agreement. Further, the Procurement Branch is sharing learnings with Sydney Trains, as they are also a user of this shared service within the Transport cluster. The CPO has also initiated monthly Work in Progress meetings with TSS and key RMS stakeholders so as to remain across all procurement activities they are currently undertaking on RMS' behalf.</p> <p>IT Commercial Management has ensured that all permanent Senior Commercial Managers, Commercial Managers, and Contract Administrators have undertaken Probity Officer Training and a Procurement Workshop facilitated by ICAC.</p> <p>A standing action item at the bi-monthly Procurement Oversight Group meeting is that all procurement strategies are sent to the Procurement Branch. This requirement is also included in the Procurement Manual.</p> <p>Note the earlier comment about the development of RMS specific Skill Hire Category Management plan. RMS Procurement Branch is also currently managing a number of RMS specific contracts, namely the Rozelle Bus Contract and Maritime Vessels, as well as managing RMS implementation activities for whole of cluster contracts, such as the Passenger Vehicle (cab-charge) contract implementation.</p>
6.3 Training and Capability <ul style="list-style-type: none"> • Capability assessment for procurement community of practice not completed • Procurement training plan must align to the outcome of this capability assessment. • Funding and resourcing to be clarified for the training plan. <p>R6.3: RMS align procurement training plan to</p>	<p>30/06/16</p> <p>New Planned End Date: 30/06/2017</p>		<p>Quarter 2 R6.3: = 85%</p> <p>Quarter 1 R6.3: =</p>	M	<p>Quarter 2: R6.3: Same as Q1, and;</p> <p>The Procurement Branch, in collaboration with the Audit & Risk Branch and TSS, has conducted full-day training sessions to 8 regional and 2 metro areas to RMS staff who carry out procurement related activities in alignment with the Procurement Policy and Manual. The training aimed to increase staff's understanding of the</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
procurement practitioners gaps arising from capability assessment. Revised plan to be approved by the Procurement Oversight Group with an approved budget support. Refer also to R3.9.2 and R3.11.2.			60%		<p>procurement process and obligations when procuring goods and services on behalf of Roads and Maritime Services. ERP e-learning and training material in preparation for ERP go-live in July-16 has been developed.</p> <p>The RMS Procurement Unit was recently a finalist in the Chartered Institute of Procurement and Supply Australasia (CIPSA) Awards in the category of Most Improved Procurement Organisation – start up. The Unit was one of two NSW Government departments to be shortlisted across all 13 categories.</p> <p>IM&IT Commercial Management undertake structured professional development training and provide the same to the IM&IT branch and broader agency representatives.</p> <p><u>New Planned End Date:</u> Phase 2 of Procurement Awareness Training' will be facilitated by the Procurement Branch, including the introduction of additional modules, for example; how to develop a Procurement Strategy and evaluation processes and criteria.</p> <p><u>Quarter 1:</u> R6.3: Following on from the Procurement Training Plan, a series of Procurement Workshops have been completed. i.e. Probity Officer Training – RMS now has 30 trained internal Probity Officers that the business can engage. ICAC Procurement Workshops – 1, completed in May and August 2015. IbisWorld and market research workshops undertaken to develop procurement staff's capabilities.</p> <p>E-learning modules are currently being developed with the Office and Financial Services (OFS) which align to Procurement in Government Certification IV learning</p>

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
					<p>content and RMS Procurement Manual. A Governance (level 1) e-learning specification has been signed off and is currently in development.</p> <p>The Procurement Branch, in collaboration with IM&IT and Legal Branches, have provided half-day training sessions to RMS staff who carry out procurement related activities on the procurement process that aligns with the Procurement Policy and Manual. The training aims to increase understanding of the procurement process and obligations when procuring goods and services on behalf of Roads and Maritime. Regional training sessions will be provided in April and May 2016.</p> <p>The Procurement Branch is working with the ERP Program to facilitate a change management program and training of new ERP system prior to roll out in 2016.</p> <p>Spot Buy (light sourcing) will be managed by TSS when ERP goes live (wave 1.2 – July-16) for spend <\$250k. As well as reducing the administrative burden on RMS staff, this will also move these quotation activities to people with specific procurement capabilities.</p> <p>IT Commercial Management has ensured that all permanent Senior Commercial Managers, Commercial Managers, and Contract Administrators have undertaken Probity Officer Training and a Procurement Workshop facilitated by ICAC.</p> <p>Procurement leaders from the RMD Branch attend all TfNSW Legal Professional Development workshops.</p> <p>The RMD Procurement Unit has ongoing professional development sessions.</p>
6.4 Level of Resourcing Demonstration of post implementation reviews	30/06/16		<u>Quarter 2</u> R6.4: =	M	<u>Quarter 2:</u> R6.4: Spot Buy (light sourcing) will be managed by TSS

Improvement Plan Progress Report – Roads & Maritime Services



Improvement Recommendation	Planned End Date	Revised End Date	% Complete	Priority H/M/L	Comments
<p>to assess adequacy of resources applied to procurement projects is not evident.</p> <p>R6.4: (refer to R3.1)</p>	New Planned End Date: 30/06/2017		<p>85%</p> <p><u>Quarter 1</u> R6.4: = 40%</p>		<p>when ERP goes live (wave 1.2 – July-16) for spend <\$250k. As well as reducing the administrative burden on RMS staff, this will also move these quotation activities to people with specific procurement capabilities.</p> <p>The RMD Procurement Unit holds regular training sessions for its team to strengthen the team's knowledge and capabilities, following an evidence-based assessment during Accreditation.</p> <p><u>New Planned End Date:</u> Phase 2 of Procurement Awareness Training' will be facilitated by the Procurement Branch, including the introduction of additional modules, for example; how to develop a Procurement Strategy and evaluation processes and criteria.</p> <p><u>Quarter 1:</u> R6.4: The CPO has also met with the RMS Reform Office to initiate discussions about RMS structure and enabling the Procurement Branch to have more access to business unit procurement activities. This has resulted in a Procurement Capabilities Assessment by RMS' Audit and Risk Branch, the findings of which will be reported shortly.</p>

Improvement Plan Progress Report – Roads & Maritime Services

This report was submitted for (✓)	Q1		Q2	✓	Q3		Q4	
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Date and Signature:

RMK 31/8/16

Rochelle Kirk, Acting Chief Procurement Officer

Date and Signature:

Fiona Trussell 7/9/16

Fiona Trussell, Acting Chief Executive Officer



Terms of Reference

RMS Asset Management Committee

1. Preliminary

The Chief Executive has established the Asset Management Committee ('the Committee') as part of the Roads and Maritime Services ('RMS') executive governance framework to oversee the prioritisation and funding of RMS' asset investment portfolio.

These Terms of Reference establish the Committee's authority and responsibilities so that it may function effectively in supporting the governance of RMS.

2. Role and Functions

The role of the committee is to support and inform the Chief Financial Officer's decision making regarding the prioritisation of RMS' asset investment portfolio. The Chief Financial Officer is accountable for decisions made based on the recommendation of the Committee, under delegation from the Chief Executive of RMS. It is expected that the Chief Financial Officer will seek a consensus view of committee members, but is not required to do so.

Where consensus is unable to be reached, the Chief Financial Officer will decide the matter.

The role of the Committee is to:

- Review, prioritise and endorse the RMS asset portfolio of programs and projects for all major assets including:
 - Roads programs / major projects in Sydney, Regional and Freight, Motorways portfolios
 - Major Maritime assets
 - Major Compliance and Regulatory Services capital investments
 - Major IT investments
- This analysis should consider and optimise across:
 - All sources of funding
 - Capital expenditure and operating expenditure
 - Build versus maintain decisions
- Review and endorse submission and changes to RMS asset priorities between planning cycles, including:
 - TAM submissions
 - Asset Maintenance Plan
 - Services and Operations Plan
 - Asset Management Plan
 - FIC papers
 - Reallocation of contingency funding
 - Funding submissions (e.g. Federal funded projects)
 - Revised budgets
 - Carry forwards

- Ensure consistency across Regional and Freight, Sydney, Maritime and Motorways portfolios and alignment with NSW government priorities and TfNSW policies, strategies and plans
- Consider reports on high financial risk, high profile, and/or high value projects, for example INSW Tier 1 projects, and receive for noting reports on Tier 2 and Tier 3 projects at internal milestone reviews
- Review and endorse INSW Gate documentation before it goes to TfNSW for high financial risk, high profile, and/or high value projects only

Outputs from the Committee are an input to inform the Chief Executive's decision making for RMS TAM submission, to inform TfNSW prioritisation and funding decisions.

3. Authority

The Chief Executive may only delegate financial and legislative authority to individuals and as a consequence, the Committee may not make decisions to commit or incur expenditure or apply legal authorities. For all decisions, the Committee develops preferred positions or endorses options for the Chief Financial Officer to approve in accordance with the RMS delegations. The Chief Executive remains responsible for decision making for RMS TAM submission.

It is noted that in some cases final decision making rests outside of RMS at TfNSW, Minister for Roads, Maritime and Freight or cabinet level.

4. Membership

The membership for the Asset Management Committee is:

- Chief Financial Officer (Chair)
- Executive Director, Regional and Freight
- Executive Director, Sydney
- Executive Director, Technical and Project Services
- Executive Director, Motorways
- TfNSW Executive Director, Group Finance
- TfNSW Executive Director, Transport Networks

A person acting in any of the above positions is considered to be a member of the Committee for the term of the acting arrangement.

The Chief Financial Officer is Chair of the Committee. The Chief Financial Officer shall designate an Acting Chair from the Committee members if unable to attend a meeting.

If any other member is unable to attend a meeting, they must send a suitable representative to act as a delegate. However, risks brought to the attention of the Committee are managed by members, not representatives acting as delegates.

Persons other than Committee members and the Secretariat attend as guests on an invitation-only basis. This includes the following RMS Executive Directors, whose attendance is required where matters relevant to their division are to be discussed:

- Executive Director, Business Services
- Executive Director, Maritime
- Executive Director, Compliance and Regulatory Services

This guest attendance is only for the time needed to address the Committee. Invitations are issued by the Chief Financial Officer, through the Secretariat.

All members are to ensure they are prepared for Committee deliberations and are able to contribute to meetings and support efficient and effective decision-making by the Committee.

5. Meetings

The Committee will meet on a monthly basis. All members are required to attend meetings.

Meetings will be conducted at a place determined by the Chief Financial Officer and will be conducted on a formal basis and be minuted. The Minutes must record the following:

- Date and location of meeting
- Attendees, apologies and absentees
- Agenda items discussed
- Action items (including responsibility and timeframe)
- Approvals and recommendations of the Committee (including rationale).

The Minutes are to be approved by members as a true and accurate record at the commencement of the next meeting.

Members may participate in a meeting by telephone or by the use of video conferencing facilities.

The quorum is four Committee members (including the Chief Financial Officer or Acting Chair). Delegates for absent members are permitted with approval from the Chief Financial Officer. A meeting cancelled due to a lack of quorum must be rescheduled within one week of the original cancelled meeting.

6. Independent Advice

The Committee may seek independent advice to inform its discussions. The nature and scope of the advice will be determined by the Committee. Providers of independent advice shall report to the Committee in a timely manner as specified.

7. Sub Committees

The Committee will not establish sub committees. Any matter that requires further analysis before it is considered by the Committee will be allocated to the relevant Executive Director to progress.

8. Other Committee Relationships

The Chief Financial Officer is responsible for leading the discussion in the Executive Committee on matters that arise from Asset Management Committee meetings.

9. Secretariat

The Office of the Chief Financial Officer will provide secretariat support to the Committee and is responsible for:

- Maintaining the forward meeting agenda and developing the agenda for each meeting
- Coordinating the preparation of papers and reports for meetings
- Scheduling of meetings and distribution of papers at least five working days prior to meetings
- Recording minutes of meetings and distributing these to members no more than five working days after meetings
- Monitoring progress of any actions or projects agreed by the Committee
- Storing and archiving minutes and associated presentations and papers

The Secretariat will ensure that electronic copies of all relevant documents presented to the Committee (including agendas, papers and minutes) are saved in Objective.

10. Annual Review

At the end of each financial year there will be an assessment of the operation and functioning of the Committee, focusing on the extent to which the Committee has delivered its roles and responsibilities against these Terms of Reference. This assessment may be done by either the Secretariat, internal audit or an external expert.

In preparing the report, the assessor will consult with the Chair and other members of the Committee. The report will make recommendations as to the ongoing role and functions of the Committee and propose any changes to the Terms of Reference that may be required to ensure continued effectiveness.

Approved by:



Ken Kanofski
Chief Executive

Date effective:
3 April 2017

Terms of Reference

RMS Engineering and Design Committee

1. Preliminary

The Chief Executive has established the Engineering and Design Committee ('the Committee') as part of the Roads and Maritime Services ('RMS') executive governance framework. The Committee will oversee RMS input into Austroads guides and TfNSW technical and safety requirements, promote consistency of engineering and technical approaches across RMS programs (in line with Austroads guides and any specific TfNSW requirements), and review exceptions to agreed RMS approaches. It will balance safety, resilience, traffic flow, customer, commercial and other perspectives.

These Terms of Reference establish the Committee's authority and responsibilities so that it may function effectively in supporting the governance of RMS.

2. Role and Functions

The role of the Committee is to:

- Oversee RMS and TfNSW input into Austroads guides – having an overview of which RMS employees are inputting into various Austroads committees and guides, and providing guidance where this is warranted. This includes developing RMS and Transport for NSW (TfNSW) consensus on NSW input into Austroads guides.
- Provide guidance on how RMS should apply and prioritise Austroads guides, RMS supplements and other guidance documents
- Consider program deliberations where there are conflicting guidelines or RMS practices around safety, efficiency, engineering, technical, community/customer expectations and economic factors within or outside of Austroads guidelines, and make recommendations for programs, considering the creation of precedents for RMS and/or TfNSW going forward
- Make decisions where programs propose to go outside of Austroads guides and guidance previously provided by this Committee
- Oversee the option and implementation of any TfNSW safety and technical requirements for roads and provide input into the foundation of such requirements

(The Committee is primarily concerned with programs, but may undertake the above functions for projects where recommended by an Executive Director).

3. Authority

The Committee's authority is extended to recommending preferred positions or endorsing options for the Chief Executive to formally approve.

It is expected that the Executive Director, Regional and Freight will seek a consensus view from committee members. Where a consensus view is formed, the Executive Director Regional and Freight may formally approve the committees preferred position. Where a consensus is unable to be reached, the Chair will note the position of the Committee and provide advice to the Chief Executive who will make the required decision.

4. Membership

The membership of the Engineering and Design Committee is:

- Executive Director, Regional and Freight (Chair)
- Executive Director, Technical and Project Services
- Executive Director, Sydney
- Executive Director, Motorways
- TfNSW Executive Director, Centre for Road and Maritime Safety
- TfNSW Executive Director, Asset Standards Authority
- Two specialist senior roads and/or bridge engineers (internal or external) nominated by the Chief Engineer

A person acting in any of the above positions is considered to be a member of the Committee for the term of the acting arrangement.

The Executive Director, Regional and Freight is Chair of the Committee. The Executive Director, Regional and Freight shall designate an Acting Chair from amongst the Committee members if unable to attend a meeting.

If any other member is unable to attend a meeting, they must send a suitable representative to act as a delegate. However, risks brought to the attention of the Committee are managed by members, not representatives acting as delegates.

All members are to ensure they are prepared for Committee deliberations and are able to contribute to meetings and support efficient and effective decision-making by the Committee.

5. Meetings

The Committee will meet on a quarterly basis, with additional meetings as required by the Executive Director, Regional and Freight to address any urgent matters.

Meetings will be conducted at a place determined by the Executive Director, Regional and Freight and will be conducted on a formal basis and be minuted. The Minutes must record the following:

- Date and location of meeting
- Attendees, apologies and absentees
- Agenda items discussed
- Action items (including responsibility and timeframe)
- Approvals, decisions and recommendations of the Committee (including rationale).

The Minutes are to be approved by members as a true and accurate record at the commencement of the next meeting.

A consolidation of the guidance provided by the Committee must be kept by the Executive Director, Regional and Freight and made available and easily accessible across RMS.

Members may participate in a meeting by telephone or by the use of video conferencing facilities.

The quorum is three Committee members (including the Executive Director, Regional and Freight or Acting Chair). Delegates for absent members are permitted with approval from the Executive Director, Regional and Freight. The Executive Director, Sydney and Executive Director, Motorways may attend all meetings of the Committee, and must attend when decisions impacting their divisions are under consideration. The agenda for this Committee must be issued two weeks in advance so these Executive Directors can consider whether the subject matter requires their attendance. A meeting cancelled due to a lack of quorum must be rescheduled within two weeks of the original cancelled meeting.

6. Independent Advice

The Committee may seek independent advice to inform its decision-making. Providers of independent advice shall report to the Committee in a timely manner as specified.

A Committee member may invite a guest to attend a Committee meeting to provide input into a specific issue. Committee members should send notification of a guest attendee to the Chair and Secretariat at least three working days prior to the meeting.

7. Sub Committees

The Committee will not establish sub committees. Any matter that does not constitute as a matter for the Engineering and Design Committee will remain the responsibility of an Executive Director. An Executive Director may establish operational committees to support decision making, however the Executive Director is accountable for decision making and delivery.

8. Other Committee Relationships

The Executive Director, Regional and Freight is responsible for leading the discussion in the Executive Committee on matters that arise from Engineering and Design Committee meetings.

The Executive Committee will receive minutes from the Engineering and Design Committee for noting.

9. Secretariat

The Office of the Executive Director, Regional and Freight will provide secretariat support to the Committee and will:

- Maintain the forward meeting agenda, scheduling meetings and developing the agenda for each meeting, including issuing the agenda for Committee meetings two weeks in advance to enable the EDs of Sydney and Motorways to determine whether to attend or not
- Coordinate the preparation of papers and reports for meetings
- Distribution of papers at least two working days prior to meetings
- Record minutes of meetings and subsequent discussions and distribute these to members no more than two working days after meetings
- Monitor progress of any actions or projects agreed by the Committee.

The Secretariat will ensure that electronic copies of all relevant documents presented to the Committee (including agendas, papers and minutes) are saved in Objective. As above, the Executive Director, Regional and Freight, supported by the Secretariat, must ensure a consolidation of the guidance provided by the Committee is kept and made available and easily accessible across RMS.

10. Annual Review

At the end of each financial year there will be an assessment of the operation and functioning of the Committee, focusing on the extent to which the Committee has delivered its roles and responsibilities against these Terms of Reference. This assessment may be done by either the Secretariat, internal audit or an external expert.

In preparing the report, the assessor will consult with the Chair and other members of the Committee. The report will make recommendations as to the ongoing role and functions of the Committee and propose any changes to the Terms of Reference that may be required to ensure continued effectiveness.

Approved by:



Ken Kanofski
Chief Executive

Date effective:
3 April 2017

Heavy Vehicle Programs Unit Business Plan 2017-18



Heavy Vehicle Programs unit, as part of the compliance branch is at the core of heavy vehicle regulation in NSW and also supporting the National Heavy Vehicle Regulator in achieving its targets by delivering and operating systems and infrastructure to manage heavy vehicle compliance, support safe efficient freight journeys and maintaining critical road assets.

Understanding that ‘*every journey matters*’, we are driven to innovate the face of heavy vehicle regulation in NSW by finding smarter ways of regulating and finding cost savings for our customers.

Our current role is to develop, build and operate regulatory programs for heavy vehicles to improve safety and compliance outcomes. Working in collaboration with the other branches within CaRS, RMS, Transport and other agencies, we have ten programs to support and deliver our purpose:

Centre for Road Safety sponsored:

- Average Speed Camera Program

NHVR Sponsored:

- Fatigue Management Program(*Partial Funding*)
- Heavy Vehicle Inspection Station(HVIS) Program(*Complete Funding*)
- Heavy Vehicle Safety Station (HVSS) Program(*Complete Funding*)
- On-Road Enforcement Program(*Complete Funding*)
- Speed Limiter Compliance Program(*Complete Funding*)
- Mass Management Program(*Complete Funding*)
- Heavy Vehicle IT/On-Road Technology Management Program(*Complete Funding*)
- Vehicle Defect Management(*Complete Funding*)

Federal and State/RMS sponsored:

- Environmental Programs
- Heavy Vehicle Over-Dimension Compliance Program

This business plan sets out our key priorities, initiatives and measures. It demonstrates how we will work to help deliver the CaRS ‘future focused’ road-map.

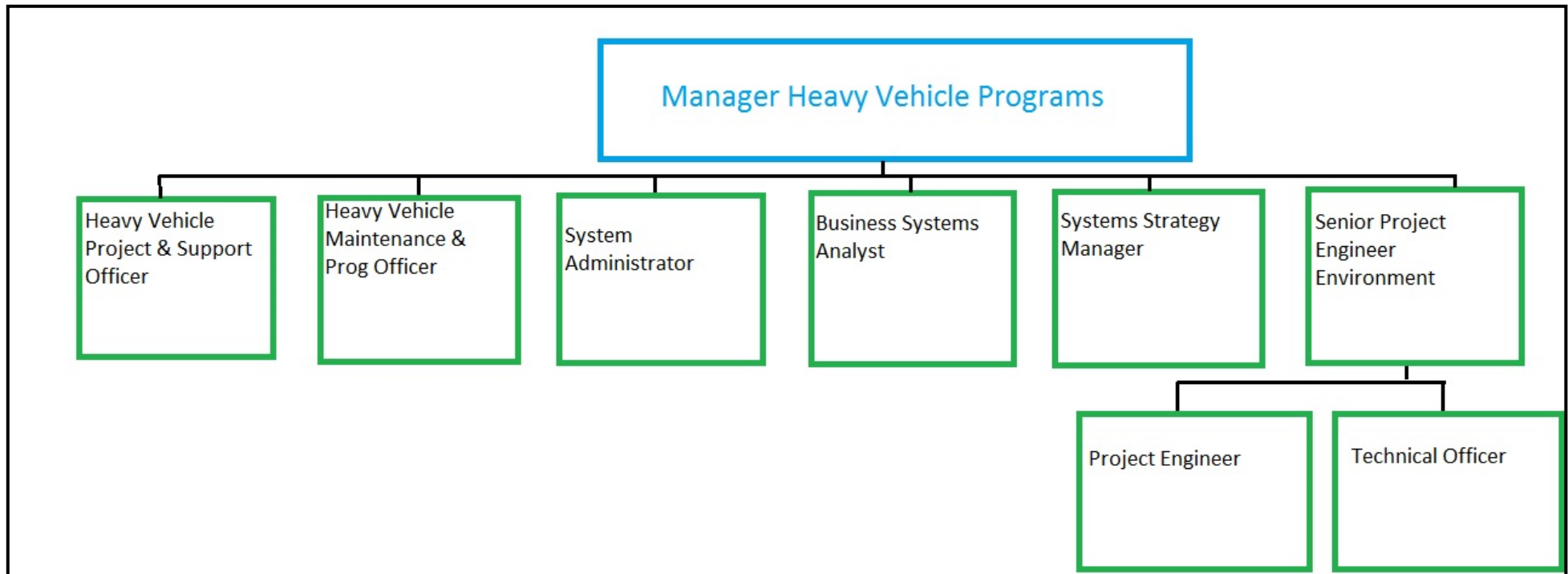
Samer Soliman

Manager, Heavy Vehicle Programs

Purpose	To deliver and operate risk-based regulatory systems and infrastructure to manage heavy vehicle compliance, support safe efficient freight journeys and maintain critical road assets
Role	develop, build and operate regulatory programs for heavy vehicles to improve safety and compliance outcomes with relevant road transport law
KPIs	Contract/Vendor/Project Management Budget Management Heavy Vehicle Roadworthiness(indirect)

How will we address the Roads and Maritime Services Priorities?

Customers	<ul style="list-style-type: none"> planning, designing, building, maintaining and operating safe networks to meet customer needs and improve overall satisfaction delivering regulatory services to promote and improve customer safety, focused on drivers, vehicles, heavy vehicles, commercial and recreational vessel operators delivering value and demonstrating benefits as we further develop the Sydney, motorway regional and freight networks. Building and maintaining co-regulatory partnerships
Community	<ul style="list-style-type: none"> embedding sustainability and minimising the environmental impact of our activities Delivering value for every tax dollar invested Engaging with key industry groups and road operators to improve compliance and safety across the road network
Organisation	<ul style="list-style-type: none"> developing people, innovative technology, systems and processes to support delivery operating within our budgets and make the right network investments at the right time Ensuring a safe and healthy workplace Operating within our budgets Embedding new operating model and driving a culture of continuous improvement and collaboration



3. 2017–18 Delivery Plan & Measuring Our Performance – Key Performance Indicators

NSW ICAC EXHIBIT

E18/0281/AS-25-001/PR-0001 D10528671

Regulatory Program	Deliverable Project	Branch Plan Accountability Description	KPI Description
On road enforcement/ HVIS	Planned & reactive maintenance of 300 ORE sites	<p>Cost Savings: Resource and technology (CAPEX and OPEX) cost saving by enabling targeted risk-based enforcement and more efficient/lower cost technology (innovation trials) and improved freight industry efficiency.</p> <p>1) "Deliver and manage the camera enforcement network."</p> <p>2) "Conduct targeted risk-based compliance campaigns and inter-agency operations".</p> <p>3) "Conduct fixed and random on-road vehicle inspections".</p> <p>4) "Undertake targeted heavy vehicle operator fleet inspections where significant and repetitive non-compliance is".</p> <p>5) "Provision of technology that's fit for purpose (new)"</p> <p>6) "Ensure enforcement systems comply with the law".</p> <p>7) "Adjudicate enforcement camera images and incidents".</p> <p>8) "80% of total audits conducted to be targeted in response to identified risks as per an annual audit program"</p> <p>9) "Integrating our road and maritime network planning with broader land use and transport planning to support investment decision making integrating networks with the broader transport system including major infrastructure projects in metropolitan and regional NSW".</p>	<p>1) Direct:</p> <p>a. Deliverable Projects and Maintenance/Operations on time and on budget.</p> <p>b. Contract and vendor performance management up-to-date.</p> <p>2) Indirect:</p> <p>a. "5% of on-road enforcement intercepts will include roller brake test".</p> <p>b. "Monitor rates of non-compliances detected in the various HV sectors for mass, loading, access, fatigue, roadworthiness"</p> <p>c. "Number of vehicles issued with a major and/or major grounded defect more than once during the last 90 days is less than 2.3%"</p> <p>d. "Number of repeat non-conformances identified in audits of regulatory programs participants"</p>
	Brake and tyre automated thermal camera Trial(improve risk based targeting)		
	Portable ANPR camera integration with Truckscan Trial(improve risk based targeting)		
HVSS Program	Weighbridge Annual Certification		
	ITS Maintenance/Operation(including WIM's)		
	Darobalgie HVSS – additional facilities		
NSW Corridor Improvement Strategy	Newell Hwy HVSS site development - <i>part of NSW Highway Corridor strategy</i>		
	Golden Hwy HVSS development - <i>part of NSW Highway Corridor strategy</i>		
	Foreshore Road HVSS development - <i>part of NSW Highway Corridor strategy</i>		
	Kundabung, Grafton HVSS site development – <i>part of NSW Highway Corridor widening strategies</i>		
Mass Management	Portable Weigh Scale certification(600 scales)		
	Planned & reactive maintenance of 150 enforcement sites		
	Dynamic Portable Weigh Scales Trials(reduce OPX and increase weighing efficiency/reduce impact to freight industry)		

NSW ICAC EXHIBIT

Vehicle Defect Management	Planned & reactive maintenance of 150 enforcement sites		E18/0281/AS-25-001/PR-0001 D10528671
Fatigue Management	Asset Replacement Program of STC sites		<div>1) Direct:<div>a. Deliverable Projects and Maintenance/Operations on time and on budget.</div>b. Contract and vendor performance management up-to-date.</div> <div>c. "Maintain camera uptime at 94.5% for all road safety fixed camera programs"</div> <div>d. "Maintain camera image quality at 98% for all road safety fixed camera programs".</div> <div>2) Indirect:<div>a. "Safer Users (Road Safety Camera Program): Number of heavy vehicles (+12 tonne) detected speeding above 100km/hr is less than 1%"</div>b. "% of heavy vehicles (+12 tonne) detected speeding above 105km/hr"</div> <div>c. "Monitor rates of non-compliances detected in the various HV sectors for mass, loading, access, fatigue, roadworthiness"</div> d. Number of vehicles issued with a major and/or major grounded defect more than once during the last 90 days is less than 2.3%" <div>e. "Number of repeat non-conformances identified in audits of regulatory programs participants"</div>
	Planned & reactive maintenance of 27 STC sites		
	Safe-T-Cam and Travel times enhancements		
	CEOS High Resolution Camera Trial (to reduce technology costs)		
Over-Dimension Program	450 bridges- planned maintenance and roll over 4 years.		
	Trials of Over Dimensional and Thermal Sensors in the screening lanes and other high-risk sites(bridges/tunnels)		
HV IT/On-Road Technology Management Program	System operation and operational improvements of all 14 Heavy Vehicle enforcement systems such as Truckscan/HVIS, VRMIS etc		
	NHVR NCIS System Development(national Compliance Information System)		
Average Speed Camera Program	Planned / reactive maintenance of 97 STC sites	as above + <div>1) "Deliver and manage the camera enforcement network". - CfRS Program Sponsor Commitment.</div> <div>2) CfRS Safer Roads Strategy Program.</div>	
	Asset Replacement Program - 97 sites		
	Ongoing analysis of proposed ASC Program Expansion(30 new enforcement lengths)		
	CCTV Controller for P2P Trial (to reduce resource travel costs + reduce downtime)	<div>Cost Savings: Resource cost saving by enabling targeted risk based enforcement using remote management of CCTV cameras.</div> <div>1) "Deliver and manage the camera enforcement network"</div>	

Volume 17

145

<p>Speed Limiter Compliance Program</p>	<p>Operation of the Speed limiter compliance program in partnership with NSW Police</p>	<p>as above</p>	<p>E18/0281/AS-25-001/PR-0001 D10528671</p> <p>1) Direct:</p> <ul style="list-style-type: none"> a. Deliverable Projects and Maintenance/Operations on time and on budget: 100% of RMS speed limiter compliance units are re-licensed and maintained in time. b. Contract and vendor performance management up-to-date. <p>2) Indirect:</p> <ul style="list-style-type: none"> a. "Safer Users (Road Safety Camera Program): Number of heavy vehicles (+12 tonne) detected speeding above 100km/hr is less than 1%" b. "% of heavy vehicles (+12 tonne) detected speeding above 105km/hr" c. "Monitor rates of non-compliances detected in the various HV sectors for mass, loading, access, fatigue, roadworthiness" d. Number of vehicles issued with a major and/or major grounded defect more than once during the last 90 days is less than 2.3%" e. "Number of repeat non-conformances identified in audits of regulatory programs participants"
<p>Environmental Programs</p>	<p>Clean Fleet Program</p> <p>Green Truck Partnership</p>	<p>1) The Long Term Transport Master Plan section 7.5.2 (p288) states that <i>"Transport for NSW works with industry in implementing two programs aimed at managing the emissions from the road freight task"</i></p> <p>2) Section 1.1 also states that <i>"As an operating agency in the transport cluster, our activities are directly aligned to TfNSW's strategic priorities and outcomes. We support the implementation of cluster-wide strategies, including the NSW Road Safety Strategy and the Freight and Ports Strategy"</i>.</p> <p>3) The Freight and Ports Strategy section 4.3 (p135) states that <i>"Allowing the efficient flow of goods to the market has inherent benefits for the environment and community. Lower costs, better management of impacts like noise, reduced emissions and increased use of green technology contribute to efficiency. Protecting communities and the environment up front also reduces longer term costs to government due to remediation and retrofitting"</i>.</p>	<p>1. Direct: Deliverable Projects and Maintenance/Operations on time and on budget:</p> <ul style="list-style-type: none"> a. 95% of renewal reminders sent out before renewal date. b. Audit reviews completed within two weeks of receipt or before due date. <p>2. Contract and vendor performance management up-to-date.</p>

	Engine Brake Noise	<p>4) The Freight and Ports Strategy Action 3B (p140) states that:</p> <p>a. <i>“The impacts of noise and emissions are reduced community amenity near road and rail freight corridors and, importantly, reduced community acceptance of new infrastructure or growth of the freight task in their localities. Freight movement, particularly with older and less efficient vehicles and equipment, also creates increased greenhouse emissions and fuel costs”.</i></p> <p>b. Task 3B-2 (p141) states that <i>“Transport for NSW will continue to manage noise from road and rail freight through existing programs and new measures”.</i> And that <i>“These measures include strategic noise management plans for road and rail freight which aim to eliminate unnecessary isolated noise events (e.g. truck and engine brake noise) and limit overall noise levels”.</i></p> <p><i>Other approaches include:</i></p> <ul style="list-style-type: none"> • <i>Facilitating the introduction of electric and other low noise vehicles, through programs such as the Green Truck Partnership.</i> • <i>Strengthening the ongoing education and enforcement program which focuses on addressing the worst emitters of brake noise.</i> <p>c. Task 3B-3 (p143) <i>“Transport for NSW will manage and reduce the emission of greenhouse gases, fine particles and nitrous oxide from freight transport”.</i></p> <p><i>More specifically, Transport for NSW will also:</i></p> <ul style="list-style-type: none"> • <i>Promote the use of low emission technologies and fuels and programs, such as through the Green Truck Partnership.</i> <p><i>To provide ongoing management of this problem, Transport for NSW will:</i></p> <ul style="list-style-type: none"> • <i>Promote the use of low emission vehicle technologies and fuels, by implementing the Green Truck Partnership.</i> 	<p><small>E18/0281/AS-25-001/PR-0001 D10528671</small></p> <p>1. Direct: Deliverable Projects and Maintenance/Operations on time and on budget:</p> <ol style="list-style-type: none"> Maintain 100% availability (365 days annually) of EBN measuring capability and conduct special operations as required. Maintain 90% uptime for Mt Ousley EBN testing site. <p>2. Contract and vendor performance management up-to-date.</p> <p>3. Indirect:</p> <ol style="list-style-type: none"> Maintain resources/knowledge in RMS to assist Environment branch to progress EBN legislation through NHVR.
	IM240 NATA accreditation		<p>1. Direct: Deliverable Projects and Maintenance/Operations on time and on budget:</p> <ol style="list-style-type: none"> Maintain NATA accreditation of IN240 testing facility. <p>2. Contract and vendor performance management up-to-date.</p>

4. Risk Summary

The CaRS regulatory model is risk-based and outcome focused. This means that heavy vehicle programs unit are required to implement regulatory solutions and technology using evidence/data based analysis. With this in mind, the risks which are addressed in the Compliance Branch 17/18 business plan have been taken into consideration and addressed in our unit business plan. Prioritise has been placed on innovative cost savings for our customers and ensuring our regulatory programs drive the higher level branch and division accountabilities.

The CaRS approach to risk assessment is based on the six steps below. The items in red are directly or indirectly driven by heavy vehicle programs unit:

- 1. Identify risks, including both historic and emerging risks.
- 2. Analyse risks, through understanding their relative likelihood and consequences.
- 3. Assess and prioritise risks based on the potential for and impact of non-compliance.
- 4. Select interventions that are best able to address or mitigate the risks.
- 5. Plan and implement interventions to address priority risks.
- 6. Monitor and evaluate how successful interventions have been to inform continuous improvement.

4. Transition of Heavy Vehicle operational services to NHVR

It is recognised that heavy vehicle operational services and deliverables are expected to be transitioned to the NHVR within the next 3 years. Heavy Vehicle Programs unit will support the NHVR with their targets and provide advice as required.

Procurement Manual

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CONTENTS

PROCUREMENT MANUAL	1
REVISION HISTORY	2
INTRODUCTION.....	6
TIPS FOR READING THIS MANUAL.....	7
1. PROCUREMENT GOVERNANCE	7
1.1. NSW GOVERNMENT PROCUREMENT FRAMEWORK.....	7
1.2. ACCOUNTABILITIES TO EXTERNAL AUTHORITIES	8
1.3. ROADS AND MARITIME GOVERNANCE	8
1.3.1. <i>Roles and Responsibilities.....</i>	<i>8</i>
1.3.2. <i>Procurement Oversight Group.....</i>	<i>9</i>
1.3.3. <i>Transport Shared Services</i>	<i>9</i>
1.3.4. <i>Category Management</i>	<i>9</i>
2. THE BASICS TO KNOW BEFORE YOU BUY	10
2.1. BEHAVE ETHICALLY AND DELIVER VALUE FOR MONEY	10
2.2. ACT ACCORDING TO RISK AND VALUE	12
2.3. FOLLOW THE RULES.....	13
2.4. USE EXISTING ARRANGEMENTS - DON'T REINVENT THE WHEEL!	14
2.5. ENGAGING A PROFESSIONAL SERVICES CONTRACTOR	15
2.6. ENGAGING A CONSULTANT	16
2.7. ENGAGING A LABOUR HIRE	16
3. PLANNING	17
3.1. DEMAND ANALYSIS	17
3.2. MARKET ANALYSIS	18
3.3. PROCUREMENT STRATEGY	21
3.3.1. <i>About Work Health & Safety, Environmental & Social Responsibility</i>	<i>22</i>
3.3.2. <i>Tender and Quote Templates</i>	<i>23</i>
3.3.3. <i>Exceptional Circumstances Exemptions.....</i>	<i>24</i>
3.3.4. <i>About Assessment Criteria.....</i>	<i>26</i>
4. SOURCING	27
4.1. APPROACH THE MARKET	28
4.1.1. <i>Prepare the Documentation</i>	<i>28</i>
4.1.2. <i>Advertise and Disclose EOI / RFP</i>	<i>30</i>
4.1.3. <i>Manage Response Process</i>	<i>31</i>
4.2. REGISTERING BIDDERS IN TRANSPORT EQUIP	32
4.3. EVALUATE AND AWARD.....	32
4.3.1. <i>The Tender Assessment Evaluation Panel and Tender Evaluation Plan</i>	<i>33</i>
4.3.2. <i>Setting Assessment Criteria.....</i>	<i>34</i>
4.3.3. <i>Managing Clarifications</i>	<i>35</i>
4.3.4. <i>Assessing Tenderers.....</i>	<i>36</i>
4.3.5. <i>Selecting the Successful Tenderer.....</i>	<i>38</i>
4.3.6. <i>Negotiation.....</i>	<i>39</i>
4.3.7. <i>Cancellation or Withdrawal of a Tender.....</i>	<i>39</i>
4.3.8. <i>Award Contract</i>	<i>40</i>
4.3.9. <i>Contract Disclosure and Record.....</i>	<i>41</i>
4.3.10. <i>Raise Purchase Requisitions and Purchase Orders</i>	<i>42</i>
4.4. COMMUNICATE AND TRANSITION.....	43
4.4.1. <i>Transition Out.....</i>	<i>43</i>
4.4.2. <i>Transition In.....</i>	<i>43</i>

5. MANAGING	44
5.1. CONTRACT MANAGEMENT.....	45
5.1.1 RECEIPTING OF GOODS AND SERVICES.....	46
5.2. PERFORMANCE MANAGEMENT.....	46
5.2.1. <i>Measure Performance and Drive Continuous Improvement</i>	46
5.2.2. <i>Track and Report Benefits</i>	47
5.3. CONTRACT REVIEW	48
5.3.1. <i>Reflect on the Contract</i>	48
5.3.2. <i>Contract Expiry</i>	48

Message from the Chief Executive

Roads and Maritime Services is committed to keeping the customer at the centre of everything we do. The agency strives to deliver the highest standards of customer service and provide value for money by operating efficiently.

The Procurement Manual is an important document that supports our vision of achieving the best value for money for the NSW Government and the public. The manual provides assurance to NSW taxpayers that the agency, our staff members and procurement processes operate with complete integrity, reflecting our values.

This manual has been built to make it as straightforward and user-friendly as possible for all Roads and Maritime staff involved in procurement activities.

It is of the highest importance that all Roads and Maritime staff can demonstrate procurement is carried out:

- In accordance with the law
- Transparently without hidden agendas
- Fairly and impartially
- Honestly and without any perceived conflicts of interest.

This document governs all procurement of goods and services for non-construction and construction related activities. It excludes;

- Real estate (sale and purchase)
- Grants, subsidies and sponsorships.

The [Roads and Maritime Procurement Policy](#) is underpinned by the [NSW Procurement Board Goods and Services Policy Framework](#). At appropriate stages through the Procurement Lifecycle, this manual directs users to other manuals and resources including the Engineering Contracts Manual and Organisation Delegations Manual.

I approve this version of the Procurement Manual from the effective date shown on the cover page.

Signed



Ken Kanofski
Chief Executive

Introduction

You are probably here because you want to know how to acquire goods and services from a supplier or contractor. As part of Roads and Maritime Services, you are spending public money and have the responsibility and accountability when doing so.

To help you do it effectively and in accordance with all rules related to NSW Government and Roads and Maritime policies – probity, fairness, transparency, value for money – the Procurement Branch has developed a three part set of guidelines:

1. [The Procurement Policy PN195](#) presents the key rules and principles you need to know before acquiring products and services from suppliers. It is a 'must read' before getting involved in procurement at Roads and Maritime.
2. The Procurement Manual is your reference document on procedures and good practices when acquiring goods, services, materials and equipment. In other words, 'what you should do and why you should do it'.
3. Templates and tools to help you implement good practices throughout your procurement process.

These documents are available on the [Procurement Branch intranet](#). If you have any questions, please contact RMS.Procurement@rms.nsw.gov.au.

At appropriate stages through the Procurement Lifecycle, this manual directs users to other manuals and resources including the [Organisation Delegations Manual](#) and [Engineering Contracts Manual](#). The Engineering Contracts Manual details additional activities for Construction Industry related contracts.

Construction Industry includes all organised activities related to construction, demolition, dismantling, alteration, extension, restoration, repair, maintenance, installation, building, landscaping, civil engineering, process engineering, heavy engineering and construction work in mining. This includes professional services related to Construction Industry contracts.

For further advice about the appropriate application of Construction Industry contracts, including Professional Services, contact the [Commercial Services Branch](#), Technical and Project Services Division.



For Information Communication Technology (ICT) procurement, please refer to the [IM&IT Commercial Management](#) intranet.

The Regional Maintenance Branch has a dedicated procurement team who can be contacted via the [RM Intranet](#) page or e-mail RMD.Procurement@rms.nsw.gov.au. Related documents can be found at [ROMS Procurement](#)

Transport Shared Services (TSS) has a key role in supporting the objectives of the Transport cluster by delivering transactional and value-add business services across four functional streams of Financial Services, Human Resource Delivery, Procurement Services and Asset Management and Workplace Services. For further information visit the [Transport Shared Services Intranet](#).

Tips for Reading this Manual

Two icons will help you navigate easily through the information in this manual.

The 'Toolbox' icon		The 'Top Tips' icon	
	When you see this icon, it will list all the templates, guidelines and other information related to the content presented in the section.		When you see this icon, you will find top tips relating to the section you are reading – key points explained, questions answered and essential information highlighted to help you find out more.

You will also see references to [BuyWays](#). This is a section of the Procurement intranet dedicated to information on existing arrangements for goods and services. If you are looking for definitions, refer to the [Procurement Manual Definitions](#) document on the Procurement intranet site.

1. Procurement Governance

This section advises you on how Roads and Maritime manages its overall procurement activity.



The **Procurement Branch** is a team of procurement professionals in the development of procurement strategy and initiatives. The team also has practical experience in running tenders, negotiating with suppliers and managing contracts.

- The **Procurement Oversight Group**, is a key decision making body bringing together senior managers across Roads and Maritime and Transport Shared Services.
- **Category Management** looks at better ways to manage similar types of expenditure.

1.1. NSW Government Procurement Framework

The NSW Procurement Board is responsible for overseeing the Government's procurement system, setting policy and ensuring compliance. It has the statutory power to issue directions to NSW Government agencies, make decisions and monitor the progress of agency compliance. The Board authorises agencies to conduct its own procurement of goods and services.

The relevant governing legislation, policies and directives are the [Public Finance and Audit Act 1983 \(NSW\)](#), [NSW Procurement Board Procurement Policy Framework \(July 2015\)](#) (Treasury issued), and all Premiers' Circulars issued by the Department of Premier and Cabinet, which advise on key changes and developments in the Government's procurement policy framework.

1.2. Accountabilities to External Authorities



ICAC
State Records Act

[ICAC Website](#)
[State Records Act Legal Factsheet](#)
[State Records Act RMS Local Operating Procedure](#)

Comprehensive and well documented records must be maintained on all acquisitions of goods or services, in accordance with the [Record Keeping Policy](#) and legal obligations under the State Records Act 1998.

The State Records Act (1.7 of Standard 12 section 13(1)) requires NSW Government Agencies to identify and address records and information management responsibilities in outsourced, cloud and similar service arrangements. The Roads and Maritime's [Local Operating Procedure](#) "Identifying and addressing records and information management responsibilities in outsourced, cloud and similar service arrangements" is designed to assist Roads and Maritime to discharge its obligations under Part 2 'Records management responsibilities' and Part 3 'Protection of State records'.

Procurement documents may be examined by the Audit and Risk Branch, the Independent Commission Against Corruption (ICAC), NSW Police and any member of the public under the [NSW Government Information \(Public Access\) Act 2009](#).

The awarding of contracts where there is a conflict of interest may constitute corrupt conduct which may be referred to the Audit and Risk Branch or ICAC for investigation. Please refer to section 2.1 'Behave ethically and deliver value for money' for more information on probity.

1.3. Roads and Maritime Governance

1.3.1. Roles and Responsibilities



Contact [Procurement - Business Services Division](#)
[Commercial Services – Technical & Project Services Division](#)

The Procurement Branch's role, as part of the Business Services Division, is to provide a strategic, centre-led focus to procurement at Roads and Maritime using tools, advice and systems to reduce cost, improve performance, mitigate risk and support the procurement activities within divisions. It does this through the development and implementation of an effective and flexible central framework, by being a control point and leader in the development of procurement strategy and initiatives.

Each Division within Roads and Maritime is responsible for administering its own procurement (and has accountability under the Organisation Delegations Manual) from the development of procurement strategies, management of tendering and evaluation through to post contract award activities.

The role of Commercial Services within Technical and Project Services Division, is to provide a centre-led focus to construction industry procurement and contract management at Roads and Maritime. Commercial Services provides advice to reduce costs, improve performance, mitigate risk and support procurement and contract management on

construction and construction related activities across the Divisions. Commercial Services works closely with the Procurement Branch to ensure consistency in procurement and contract management. Commercial Services also maintains the Engineering Contract Manual used for the procurement and management of construction projects.

1.3.2. Procurement Oversight Group



More info [Procurement Oversight Group Terms of Reference](#)

The Procurement Oversight Group is a senior management team across all Divisions with procurement responsibility that meets on a bimonthly basis. The group's role is to establish and champion a procurement community of practice, coordinating procurement expertise across the organisation and standardising processes, documents, systems and roles to create a culture of information sharing and professional development.

1.3.3. Transport Shared Services



More info [Transport Equip Intranet](#)

Transport Shared Services manages the sourcing activity for [Indirect Spend](#) on behalf of Roads and Maritime when:

- It is under \$250k (incl GST) and not against a priced catalogue or panel; (eg labour hire and professional services);
- It is under \$250k (incl GST) and no catalogue or panel contract exists;
- It is over \$250k (incl GST) and there is no panel or other form of contractual arrangement.

1.3.4. Category Management



Current Arrangements	BuyWays
NSW Govt Arrangements	ProcurePoint
Category Template	Category Plan template

In line with NSW Procurement Board directives, we have looked at the different goods and services we procure and grouped them into “categories” to ensure better purchasing options and to manage similar items or types of expenditure more effectively. This includes researching the external market and what other organisations are doing.

Category Management is seen as a methodology and process for systematically managing the procurement where the ‘portfolio buying’ approach is put into practice. For maximum

effectiveness, category management within a strategic procurement framework should be a continuous and embedded process which demonstrates the agility to meet the demands of a dynamic supply market and business.

A Category Management Plan provides a strategic plan for goods and services and is managed by the Category Manager. For example, Roads and Maritime purchases a lot of contract labour and has a category plan covering this type of service.

When buying, make sure you act in a way that is consistent with existing category plans and consult with Category Managers.

2. The Basics to Know Before You Buy

2.1. Behave Ethically and Deliver Value for Money



Value for Money	NSW Government Statement on Value for Money
Probity/Ethics	Probity Adviser Factsheet Code of Conduct and Ethics Statement of Business Ethics



- | | |
|---|--|
| <ul style="list-style-type: none"> • Deliver value for money (VfM) <ul style="list-style-type: none"> – It is not just about \$\$\$ • Treat all suppliers fairly and equally • Assess risks and manage them accordingly | <ul style="list-style-type: none"> • Follow the rules: delegations, thresholds... • Check if there are existing agreements • Planning is a good investment of your time! |
|---|--|

Acquiring goods and services from a supplier for Roads and Maritime is a huge responsibility. It's the responsibility to spend public money in the most effective way possible, while being irreproachable in terms of probity, fairness and transparency.

Achieving value for money does not mean choosing the cheapest price or highest quality supplier. Value for money is achieved when the optimal procurement solution is selected to meet our need.

Our **procurement lifecycle** (see below) is the process we have put in place to help you achieve this. It's cyclical rather than a linear process, and drives continuous improvement from one contract to the next. This is a globally accepted procurement process and aligns Roads and Maritime to procurement best practice.

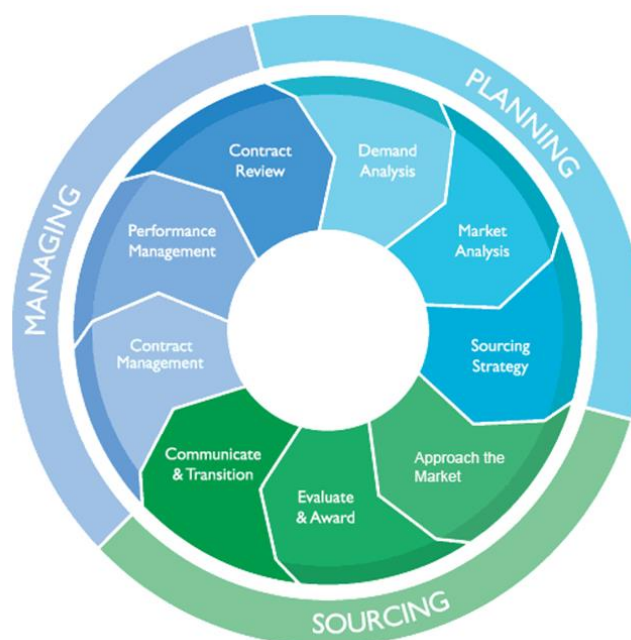
Probity means acting in a way that is demonstrably honest, fair and transparent. In the context of a procurement process, it is often used in a general sense to mean a defensible process which is able to withstand internal and external scrutiny – one which achieves both accountability and transparency and provides tenderers with fair and equitable treatment.

Procurement is too often considered as only a 'go to market' activity. Insufficient time and analysis in the planning stage leads to increased levels of effort through contract and relationship management.

The aim of the procurement life-cycle is to ensure we reverse this trend by allowing:

- More time for research and analysis during the planning stage to identify solutions that will meet requirements.
- More focus on supplier relationships and performance management to deliver increased benefits and spend less on resolution of conflicts and issues once the contract has been put in place.

Roads and Maritime Procurement Lifecycle



- **Planning: Think strategically!**

This stage enables you to define the best strategy for your procurement. While it might take time initially, it saves time in the long run and makes it easier to manage contracts.



- **Sourcing: Be fair and transparent and choose the best supplier!**

In line with NSW Government requirements, the main objective when sourcing goods and services must be selecting the best solution for Roads and Maritime, within a framework of probity and fair dealing and best value for money.



- **Managing: Deliver value for money!**

Selecting the best supplier does not mean we will deliver the best outcome in the end. You must monitor performance, contract commitments and drive continuous improvement with the supplier to ensure quality of service, savings or risk management are delivered. You must ensure Roads and Maritime obtains what it paid for.

2.2. Act According to Risk and Value



Risk – Tool

Business Case – Policy

Business Case - Template

[Risk Checklist](#)
[Business Case Policy](#)
[Light Business Case Template](#)
[Small Business Case Template](#)

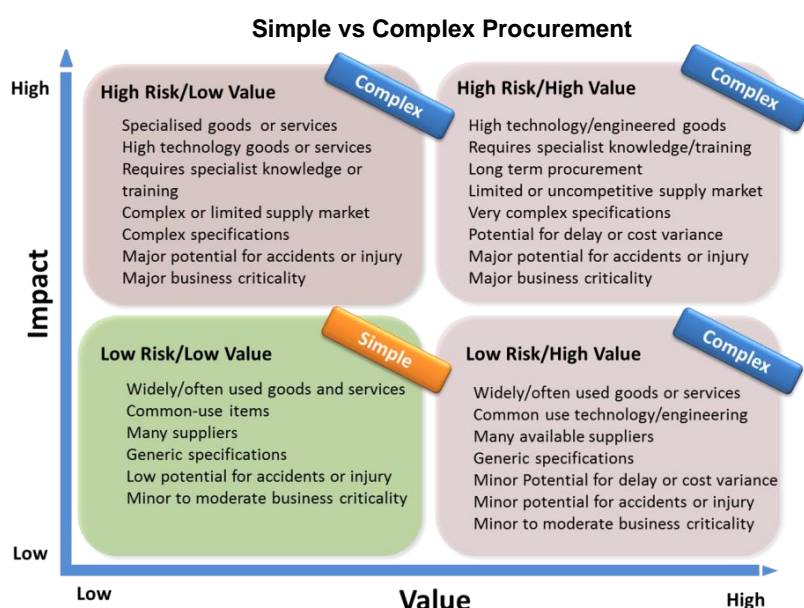

• Can I delegate the management of a risk to the Audit and Risk Branch?

- **No.** Divisions are responsible for managing their risks, even though they can get advice from the Audit and Risk Branch.

It is useful to think of any procurement in terms of whether it is **‘simple or complex’**. Although many of the steps you will need to go through for both are similar, the amount of time spent and the level of effort and documentation will vary significantly.

Low value does not necessarily mean low risk. There are many types of expenditure, such as IT software licenses, that are relatively in-expensive but can expose the supplier and Roads and Maritime to significant risk if the work is not properly carried out. To work out how much effort is necessary; consider both value and risk.

As a general rule, the greater the risk and/or the higher the value, the more effort is required in planning and documentation. Although risk may not be determined by price, low value activities and items can carry a high risk as shown in the diagram below.



If the risk is considered to be high think about what action you could take to lower it. Risk management is best done as a team exercise with other stakeholders and should cover:

- Assessing the risk - context, description, impact and likelihood of impact.
- Control the risk through elimination, substitution, isolation or exposure reduction.

In deciding on mitigating actions it is important to consider two principles:

- The cost of managing the risk. This needs to be consistent with the benefits obtained.
- Who is going to be responsible for addressing the risk within the timeframe? This needs to be the most suitable candidate based on skills and experience to control and manage it.

Risk Management is a key element in the decision making process for the Procurement Strategy. Please consider the use of the [Risk Checklist](#) to help you identify risks.

If the value is high, check if you need to submit a **Business Case**. The NSW Government Treasury requires agencies to submit business cases for review for projects. Non-construction related procurement is subject to the [Treasury's Gateway Review System](#).

2.3. Follow the Rules

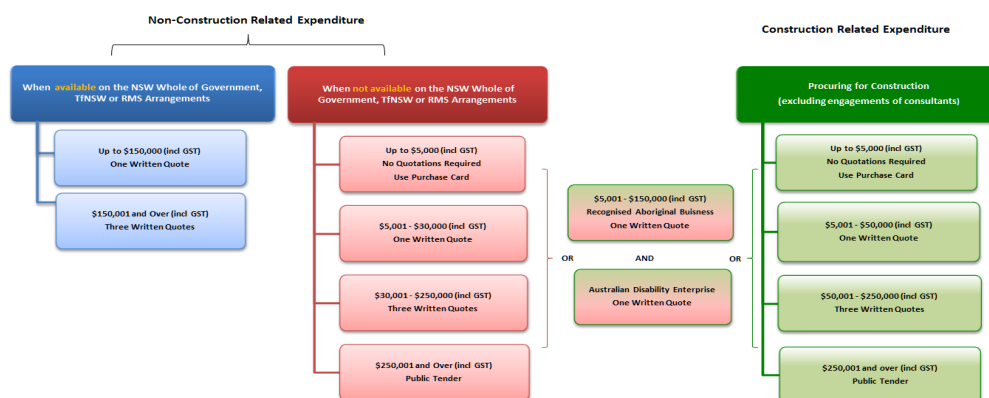


Delegations	Organisation Delegations Manual
Unsolicited Proposals	Unsolicited Proposals
RMS Policy & Procedures	Purchasing Card Policy Purchasing Card Procedure Procurement Policy PN195

The **delegation of procurement functions** has been made to enable managers and others to carry out their responsibilities in an efficient and effective manner. These procedures also ensure Roads and Maritime staff comply with the requirements of a range of legislation governing the management of funds. Please refer to the Organisation Delegations Manual for details of who has the authority to execute key stages in the procurement process. Examples include budget approval, procurement strategy, exceptional circumstances exemptions, supplier selection and contract award.

The thresholds aim to make sure you get the right level of competition according to the estimated value of the contract.

Roads and Maritime Procurement Thresholds



*Note: Whole-of-Government or
TfNSW Arrangements take precedent*

Please note: NSW Government Agencies are allowed to purchase goods and services directly from approved [Australian Disability Enterprises](#) on the basis of a single written quote, including goods or services provided through whole of government contracts. Recognised [Aboriginal businesses](#) can also be engaged directly by a single quote up to the value of \$150,000 (including GST).

Contract and Order splitting is not allowed. You must not create multiple shopping carts or orders for the purpose of reducing the contract value in order to bypass a procurement threshold or delegation limit.

If you need an exemption from any of these rules, for example, to run a select rather than open tender or to enter into direct negotiations with a single supplier instead of calling three quotes, then you will need to obtain an Exemption for Exceptional Circumstances. See section 3.3.3.

In accordance with [The NSW Treasury TPP 17/09](#), the NSW Government has mandated the use of purchasing cards for all transactions up to \$5,000 (including GST) and to replace cheques with electronic payment methods where applicable. The [Purchasing Card Policy](#) allows internet purchases and permits usage for urgent purchases of personal protective equipment (PPE). This excludes contingent labour hire and professional services.

2.4. Use Existing Arrangements - Don't Reinvent the Wheel!



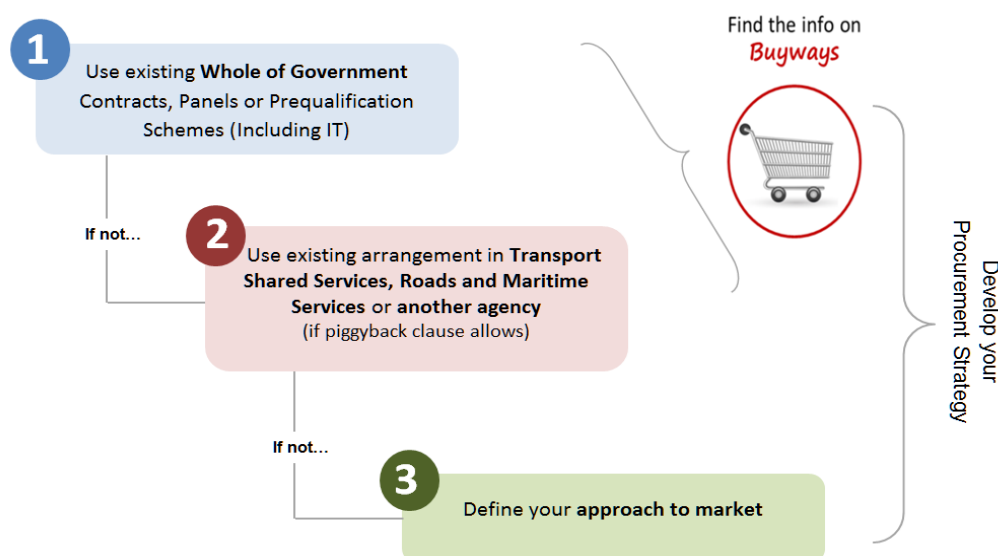
Existing RMS/TfNSW Arrangements	BuyWays
Whole of Government Arrangements	NSW Govt Arrangements
Australian Disability Enterprises	Australian Disability Enterprises
Aboriginal Businesses	Direction 2013-04
WoG Prequalification Schemes	Prequalification Schemes

Prequalification schemes and panels may be Whole-of-Government (WoG) or internal to Roads and Maritime. Roads and Maritime is obliged to refer to a prequalification scheme or panel wherever it is relevant and this can save a lot of time. These arrangements are:

- **Prequalification Schemes:** are lists of suppliers that have been evaluated against a list of criteria to ensure they meet defined capability standards. Buyers can then issue an RFQ to all or a selection of suppliers in line with the guidelines for the scheme. The RFQ will focus on 'value for money' as the scheme will already have confirmed technical ability. Prequalification Schemes may be internal Roads and Maritime panels or external Whole of Government ones. (See links above)
- **Panels:** a panel normally goes a step further so that panel members will have been evaluated both for capability and for value for money and the panel Deed will stipulate their rates. Where panel members have already been evaluated for value for money and the rates are set then Roads and Maritime can place an order without having to seek competitive quotes. Consideration should be given as to whether panel members might offer even better rates if competitive quotes are sought from the panel.

Before approaching the market (Direct Spend) or seeking assistance from TSS (Indirect Spend) you are to follow the three steps shown below.

Three steps to avoid reinventing the wheel



To check if the goods or services you want to acquire are covered by an existing arrangement, simply refer to [BuyWays](#) on the Procurement intranet and click on the appropriate category. If it is not covered by BuyWays, check the [whole-of-government contracts register](#) for NSW Government arrangements on Procurepoint.

If you do not use existing arrangements you will need to demonstrate that you know how to deliver 'value for money' in any procurement you are responsible for. For example, a Procurement Strategy for a simple procurement may be as short as a few pages, but for a complex procurement activity the Procurement Strategy will be more detailed and involve a number of stakeholders. If you have any queries before you go to market, please contact the Procurement Branch.

2.5. Engaging a Professional Services Contractor



NSW Govt Schemes

[Performance & Management Services Scheme 0005](#)
[ICT Services Scheme 0020](#)
[Procurement Board Direction PBD-2015-04](#)
[Standard Commercial Framework](#)

A Professional Services Contractor (PSC) is an organisation or individual(s) engaged to provide specialist skills or capability to deliver a specific outcome or enhance the service delivery of a business unit. The level of skill required would not normally be sourced from a routine labour hire provider.

It is a Whole-of-Government (WoG) preferred requirement that all Professional Services Contractors (non-construction) are procured via the Standard Commercial Framework, within the [WoG Performance and Management Services prequalification scheme 0005](#). Except ICT Services, which are procured via the [WoG ICT Services Scheme 0020](#).

There are two types of suppliers listed under the Standard Commercial Framework – ‘compliant’ and ‘non-compliant’ suppliers. The list of suppliers can be accessed via the [WoG Performance and Management Services prequalification scheme](#).

The Standard Commercial Framework allows direct negotiation with ‘compliant’ suppliers up to \$250k (incl GST) against the [capped daily rates](#).

A minimum number of 3 quotes will be required in the following circumstances:

- If a non-compliant supplier is invited to submit a proposal (Secretary approval is required before engaging)
- If the High End Strategy Advice category is used (applicable to compliant and non-compliant suppliers)
- If the daily rate exceeds the capped daily rates (applicable to compliant suppliers)

For all other circumstances, the required minimum number of quotes remains as per the existing [Roads and Maritime Procurement Thresholds](#).

2.6. Engaging a Consultant

A consultant is a person or organisation engaged under a contract on a temporary basis to provide recommendations or specialist high level advice to assist strategic decision making by management.

All consultant engagements over \$50,000 are reported in the Agency Annual Report to DFSI, therefore Chief Executive approval is required prior to engaging a consultant for high level specialist advice. Please refer to section 1.3-2000 of the [Organisation Delegations Manual](#) for further guidance.

Consultants are required to be procured via the Whole-of-Government Standard Commercial Framework, within the [Performance and Management Services Scheme 0005](#). Please refer to section 2.5 for further guidance on how to procure from this scheme.

2.7. Engaging a Labour Hire



NSW Govt Scheme Factsheets

[Contingent Workforce Scheme 0007](#)

[Labour Hire Factsheet](#)

[Initiating & Extending Labour Hire Factsheet](#)

[Guide to Labour Costing](#)

HR Procedure

[Labour Hire Engagement & Management Procedure](#)

Labour Hire is an individual engaged to replace or augment the workforce in the core service delivery of the business unit. Can also be referred to as skill hire or contingent labour. The Labour Hire will be under line manager direction and supervision.

It is a Whole-of-Government mandatory requirement that a Labour Hire is procured via the [Contingent Workforce Scheme 0007](#).

Please refer to the [Labour Hire factsheet](#) for further guidance.

3. Planning

Think strategically! While planning might take time initially, it saves time in the long run and makes it easier to manage a contract. This stage involves consulting stakeholders to define Roads and Maritime's 'real' need. This combined with analysing how the supply market works will ultimately define the best Procurement Strategy. It can be quite informal and take only a few hours for a simple procurement, or be more formalised and take up to a few months for high risk/value procurement.

Remember if the goods or services are part of a broader Category Plan, the Category Manager will be able to provide you with support to plan work (see '[Category Management](#)'). Remember an agreement may already exist for the goods or services (see '[Don't reinvent the Wheel](#)'), which will save you a lot of time!

If you have any questions about planning, please contact the Procurement Branch within Business Services Division.

3.1. Demand Analysis



Stakeholders Mapping

[Stakeholders' Interests and Influence Matrix](#)



- Think about the '**real**' need and challenge habits
- Consult and manage **key stakeholders**

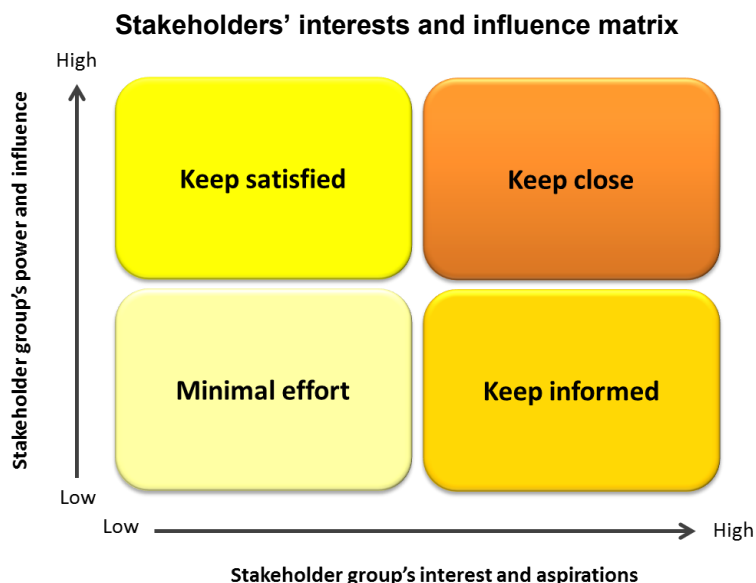
- Know what you **spend** and who you spend it with

Getting a good understanding of what Roads and Maritimes 'real' needs is a critical step in buying a good or service that is fit for purpose, while achieving value for money.

Some major **demand-related opportunities** can be identified at this stage. When analysing the need, think about what alternative options exist that could deliver the same outcome in a superior way. Challenge the need, reduce the frequency of use/consumption, identify alternative methods of meeting demands, encourage reuse/recycle where applicable, simplify and/or standardise specifications to reduce the goods and/or service range and the complexity.

Also think about **who needs to be involved**, and engage them early to confirm they are in agreement with the direction you are suggesting. If a team is responsible for the procurement make sure they have the key stakeholders involved and the necessary skills and experience.

If any changes may have an impact on the way things currently work, you may need to map the stakeholder's power and influence against their interest and aspirations and then develop an appropriate engagement and communication plan (workshops, interviews, etc.).



Analysing spend data is also a key element of this stage as it enables you to answer the following key questions:

- What is Roads and Maritime really spending now and what should it spend in the future (per good or service, by division)?
- Who is Roads and Maritime spending with?
- Did Roads and Maritime get what was promised for spend under previous arrangements?
- What's the ratio of spend on and off the current contract?

3.2. Market Analysis



Tools	Supplier Positioning
	Supplier Preference
	Porters Five Forces
Contacts	Contact Procurement Branch
Sole Traders	Sole Traders Fact Sheet
Sanctions and Embargoes	Trade Sanctions Fact Sheet
Trustees & Trusts	Trustees & Trusts Fact Sheet
Trusts Guidelines	Contracting with Trusts Guidelines
Foreign Investment	Foreign Investment Legislation and Regulations Act
	Australia's Foreign Investment Policy



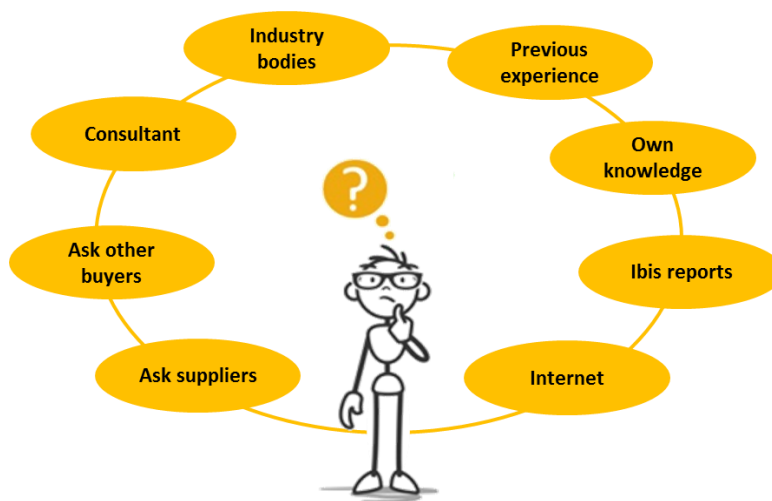
- | | |
|--|--|
| <ul style="list-style-type: none"> • Quick Guidelines to understanding the supply market | <ul style="list-style-type: none"> • Know your strengths and weaknesses versus the supply market |
|--|--|

Analysing the supply market Roads and Maritime is procuring from enables you to understand key suppliers, competitiveness, innovation, cost drivers and the direction in which the agency is headed. It also gives you information about the agency's buying power and the suppliers' perception of our value as a customer. In other words, make sure you know as much (or more) than the suppliers themselves.

If no contract exists for the goods and services, conduct an analysis of the supply market through consultation with internal experts, peers in other agencies, market experts, industry groups or reports. Your analysis may include the following considerations:

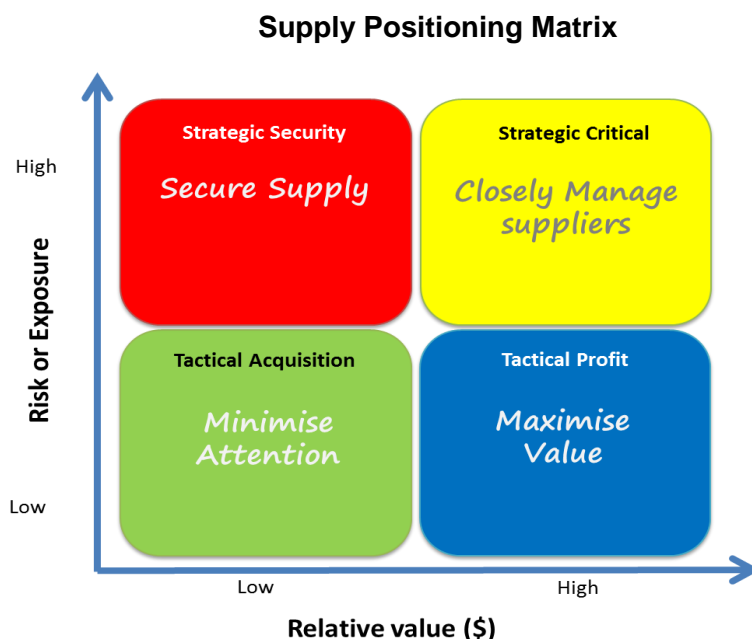
- Number of key suppliers in the market
- Capabilities of suppliers and capacity to continue to meet delivery demands
- Cost drivers
- Level of competitiveness of the market
- Market trends
- Size of the market
- Technology influences
- Solutions implemented by other Government entities, both Australian and international and relevant private sector organisations.

Market analysis - Source of information



If appropriate, you may also consider using the following **analytical tools** to get a better understanding of your strengths and weaknesses against the supply market:

- **Supply Positioning**: Identify how important the goods or services are to Roads and Maritime to plan the approach you take to the market and the level of effort used in the procurement.
- **Supplier Preferencing**: Gauge your value as a customer to suppliers to determine the extent to which you can influence the market. In other words, is Roads and Maritime an attractive customer, an exploitable customer, or a nuisance customer?
- **Porters Five Forces**: Balance of power. Assess in a few minutes the relative strength of Roads and Maritime's buying position versus the supplier.



Please contact the Procurement Branch for further advice on how to conduct market analysis.

Additional rules that apply when analysing the supply market:

- **Sole Traders** – Roads and Maritime prefers to deal with companies instead of sole traders where possible, because sole traders represent increased risks related to workers compensation. However, rejecting sole traders or requiring them to incorporate may unfairly exclude or discourage Small and Medium-sized Enterprises (SMEs). Refer to the [Sole Traders Fact Sheet](#) for more information and risk mitigation strategies.
- **Trusts:** When dealing with a Trustee, Roads and Maritime should sight evidence that the Trustee is the lawful trustee of the Trust. For example, a letter from its accountant or a certified copy of the Trust Deed showing the Trustee's name. See the [Trustee & Trust Legal Factsheet](#) for the correct name and ABN to use on contracts or follow [contracting with trusts guidelines](#).
- **Prohibited and restricted imports** - Roads and Maritime must not procure goods prohibited or restricted under the [Customs Act 1901](#)
- **Trade Restrictions, Sanctions and Embargoes** - Foreign suppliers and buyers may be subject to either UN or Australian restrictions. These can include the supply of technical advice, training or software. See the [Trade Sanctions Legal Factsheet](#) or the Department of Foreign Affairs and Trade [DFAT website](#) where you can check to see if a supplier is subject to any sanctions.
- **Foreign Investment** - All procurement activities should comply with the Australian Government [Foreign Investment Legislation and Regulations Act](#). RMS staff engaged in transactions involving a foreign entity should be aware of [Australia's Foreign Investment Policy](#) and seek advice through Treasury and the Foreign Investment Review Board if there is doubt as to the 'national interest' test. If the investment or foreign entity could be deemed sensitive, including activities involving transport

and/or critical infrastructure, or impacting national security interests, input from national security agencies may be required.

Note: Australia is a signatory to several [Free Trade Agreements](#) but Roads and Maritime Services is not listed as a “covered entity”. Therefore RMS procurement (or procurement carried out on RMS’s behalf) is not subject to the Free Trade Agreements.

3.3. Procurement Strategy



Template [Procurement Strategy Template](#)



- | | |
|---|--|
| <ul style="list-style-type: none"> Completing a Procurement Strategy is compulsory for engagements valued above \$250k (incl. GST) Respect our commitments to both Environmental and Social Responsibility | <ul style="list-style-type: none"> Tender is not your only sourcing option Set tailored assessment criteria depending on the context |
|---|--|

The Procurement Strategy is the main outcome of the planning stage. It describes your strategy to deliver the best outcome for your procurement, especially through the use of demand opportunities (see [Demand Analysis](#)) as well as the selection of the fit-for-purpose sourcing approach (which may not be to conduct an open tender). Remember it is compulsory to use existing arrangements (see [Don't Reinvent the Wheel](#)) for further details.

Where the procurement value for goods and services is at or above the tender threshold of \$250K (incl. GST), the [Procurement Strategy](#) is a compulsory document that must be endorsed by the Chief Procurement Officer, and approved by the authorised delegate before being loaded on to Transport Equip Ariba Network to obtain an on-line approval.

The Procurement Oversight Group, must then be provided with visibility of all approved Procurement Strategies for discussion and future strategy considerations. If you are using an existing pre-qualification scheme or panel, this is not necessary provided a Procurement Strategy was developed when the contract was established. For low risk procurements using a [pre-qualification scheme](#) or panels, a Procurement Strategy may be required even if the value is under \$250K.

A Procurement Strategy ensures you are making the right procurement decision on the basis of the distinctive features of the project in terms of risk, demand and the supply market. There must be an approved budget before going to market to ensure potential tenderers are not spending time and money on unapproved projects.

A Procurement Strategy for a simple procurement may be as short as a few pages but for a complex procurement it could be considerably longer. It usually includes:

- Key findings about risks, needs and the supply market
- The recommended demand related approach
- Risk assessment (including risk management plans if appropriate)
- The recommended sourcing approach and evaluation criteria

- The expected benefits including savings
- The project plan
- The approved dollar budget and source of funds.

Please remember contract management post award is covered by the Contract Management Plan as detailed in section 5.

3.3.1. About Work Health & Safety, Environmental & Social Responsibility



SME	Small and Medium Enterprises Policy Framework
Indigenous	Aboriginal Participation in Construction Aboriginal Businesses (Direction 2013-04)
Disability	Australian Disability Enterprises
WHS and Environment	Work Health and Safety Policy Risk Management Procedure Managing Manual Handling PN066P23 Consultation Procedure PN066P01 SME Procurement Policy
WHS Branch	Work Health and Safety Branch
Sustainable	ISO20400 Sustainable Procurement International Standard



- | | |
|--|---|
| <ul style="list-style-type: none"> • What is the 'Chain of Responsibility'? | <ul style="list-style-type: none"> • The Heavy Vehicle National Law recognises the effects of the actions, inactions and demands of off-the-road parties in the transport chain. • Make sure your request for tender requirements cannot be seen to encourage suppliers to break the law. |
|--|---|

Environmental and Social responsibility relates to the responsibility of an organisation for the impacts of its decisions and activities on society and the environment, through transparency and ethical behaviour. It is a means to contribute to sustainable development, known as sustainability.

The term '**sustainable procurement**' refers to the implementation of this approach within the supply chain and procurement activity. In general terms, it means making sure the goods and services an organisation acquires from suppliers have the most positive impacts on society. This is important to Roads and Maritime, given the agency's impact on the environment and the community both directly and via suppliers.

When developing a Procurement Strategy, make sure you assess the key specific impacts and risks related to the goods or services you are dealing with. Roads and Maritime should respect several rules and commitments related to environmental and social responsibility:

- Under **Work Health and Safety (WHS)** legislation, Roads and Maritime has a duty of care to provide safe systems of work and a safe and healthy workplace for workers. These include employees, suppliers and the employees of suppliers working on Roads and Maritime sites. In carrying out procurement, this duty of care includes managing risks, for example, plant and machinery, hazardous chemicals and manual and mechanical handling to make sure the supplier is able to work to Roads and Maritime's safety standards. For further information see the [Work Health and Safety Policy](#).

- **Environmental Sustainability policies** - Procurement of goods should include applicable requirements (for example minimum energy and water star ratings) as per the [NSW Government Resource Efficiency Policy](#) and consider the objectives of broader [Transport for NSW Environment and Sustainability Policy Framework 2013](#). This framework includes objectives to address key environmental issues.
- **Social Procurement** is a strategic approach to meeting social and economic objectives through procurement. It involves using procurement processes and purchasing power to generate positive social and economic outcomes in addition to the delivery of efficient goods, services and works. The [ISO20400 Guidance document](#) is an international standard on Sustainable Procurement.
- **Small and Medium-sized Enterprises (SME) Participation Plans** are compulsory for suppliers tendering for contracts more than \$10 million, as part of the NSW SME Policy Framework. SME opportunities statements are required for all contracts unless determined after consideration there are no SME opportunities. For more information see the [SME Procurement Policy](#) fact sheet.
- **Aboriginal Business (Direction 2013 – 04):** Agencies may purchase goods and services valued up to \$150,000 (inclu GST) from a recognised Aboriginal Business, provided the suppliers rates are resonable and consistent with normal market rates, and at least one written quote is obtained.
- **Australian Disability Enterprises (ADEs)** the Public Works and Procurement Regulation 2014 simplifies the purchasing of goods and services from approved ADEs. This means NSW Government agencies may purchase goods and services directly from approved ADEs on the basis of a single written quote, including goods or services provided through whole of government contracts.

Where practical, promoting the use of SMEs, Aboriginal Businesses and ADEs in Procurement Strategies and Category Plans is considered a good practice.

3.3.2. Tender and Quote Templates



NSW Govt Guidelines

[NSW Procurement by Direct Negotiation Guidelines](#)
[Guidelines for Managing Risks in Direct Negotiations \(ICAC\)](#)
[NSW Government Market Approaches Guide 2005](#)

Before going out to market, ensure you have budget funding and approval from your relevant Financial Controller. It is against government policy to mislead the market regarding un-approved funding.

Principles applying to all market approaches as per [NSW Government Market Approaches Guide 2005](#) that prior to engaging the market, agencies must have:

- the intention, commitment and authority to proceed
- an approved and adequate budget
- arrangements in place to manage all stages of the process and outcome

The term 'RFx' is used as a generic term to refer to Expression of Interest (EOI), Request for Quotation (RFQ) and Request for Proposal (RFP). If you have any question regarding sourcing, please contact the Procurement Branch.

- An **Expression of Interest (EOI)** is used as a preliminary step before an RFP in two situations. It may be used where a high volume of tenders are expected and Roads and Maritime wants to reduce the number, then issue a second stage detailed RFP to a small number of companies short listed. It may also be used by Roads and Maritime to test the market for available technology or trial solutions under a pilot contract before refining requirements and issuing a second stage RFP. The Procurement Branch should be consulted to check whether the use of an EOI is warranted as it is a non-price request.
- A **Request for Quotation (RFQ)** is a less formal invitation document suitable when seeking competitive quotes from suppliers on a panel or prequalification scheme. It may also be used in other situations where the contract value is less than \$250,000 provided you are able to identify suitable suppliers to ensure competitive quotes (otherwise an open RFP should be used).
- A **Request for Proposal (RFP)** is our standard tender invitation document. It is sometimes known as an RFT (Request for Tender). This is normally used when issuing a public invitation but it can also be used more selectively to provide a more formal process than an RFQ. If there is no prequalification scheme or panel and the value is more than \$250,000 this is the default document.
- A **Request for Information (RFI)** contains questions for suppliers and are used to solicit information and serve as a first stage of a multi-stage event.

3.3.3. Exceptional Circumstances Exemptions

Exceptional circumstances refer to situations where it can be demonstrated that a departure from normal competitive process should be permitted and an alternative process followed. Typically, exemptions seek permission to:

- Waive the requirement for an open tender or multiple quotes, or
- Waive the requirement to use a whole-of-Government contract, or
- Permit direct negotiations with a single supplier, or
- Extend an existing contract without going back to market.

Note: There is no requirement for competitive quotes or tenders for contracts less than \$30,000 for non-construction and \$50,000 for construction (see the table in Section 2.3) or engaging an approved disability employment organisation or Aboriginal businesses (clause 21B of the Public Sector Employment and Management Regulation 2009). Therefore no exemption is required.

Exemptions **cannot be granted** where probity may be compromised.

The following situations may justify the use of exceptional circumstances, subject to providing sufficient evidence, such as:

- Insufficient time to conduct a formal RFx because of an immediate requirement. For example, a situation where work needs to be done immediately due to public safety.

Note: In such cases *clause 21* of the *Public Sector Employment and Management Regulation 2009* requires the Chief Executive's consent and the subsequent procurement to be reported to the NSW Procurement Board as soon as possible.

- Major defect in an RFx outside the reasonable control of Roads & Maritime (e.g. failure to follow procedure) and insufficient time to call fresh bids
- No responses or unacceptable responses following an RFx
- Risk of compromising a supplier's intellectual property rights (e.g. would disclose trade secrets in a unique invention) through an RFx
- Absence of competition for technical or policy reasons (e.g. security)
- Experience, expertise, type and/or quality of goods or services required only available from a single supplier

Note: brand is not justified for being a sole supplier, the specifications must be unique.

- Prohibitive cost of RFx or cost of change compared to the spend
- Advantageous time-limited offer available
- A prototype or a first good or service that is intended for limited trial, provided it will not give the supplier an advantage in the next RFx.

A request for exceptional circumstances exemption will need to provide information on:

- The type and value of the goods or services sought
- The terms of the proposed supply (including duration)
- For contract extensions, total value of the engagement, including spend to date
- What exemption is sought (e.g. permission to enter into Direct Negotiations with a single supplier instead of seeking competitive quotes or issuing an RFP)
- What parts of this manual an exemption is sought from
- The reasons why an exemption is sought
- The alternative process which is proposed to be followed
- How value for money will be obtained through the alternative process
- If any conflicts of interest or other probity risks exist and how they will be addressed
- If there are any risks to Roads and Maritime in the granting of an exemption (including public interest in the project or complaints from suppliers not afforded the chance to tender).

The sought exemption requires a formal review and approval, which includes all the following:

- Contact Procurement Branch to discuss the sought exceptional circumstances exemption
- Obtain written approval from the Branch Head or higher to initiate the exemption process
- Write an exemption memo using the [Exemption Template](#) (prepared from Executive Director to Chief Executive to obtain the exemption)
- Obtain endorsement from the Chief Procurement Officer
- Obtain Chief Executive consent through the Briefing Team approval process.

Note: If an exemption from an open tender is granted, any resulting contract will be a Class 2 contract under s.30 of the *Government Information (Public Access) Act 2009* which has detailed mandatory disclosure requirements. See section 4.2.9 - Contract Disclosure and Record.

Direct negotiations may be used in the following situations:

1. Emergencies under clause 21 of the [Public Sector Employment and Management Regulation 2009](#) provided the Chief Executive's consent is obtained (and the procurement is reported to the NSW Procurement Board as soon as possible).
2. Where the value of goods and services are less than \$30,000 or \$50,000 for construction (as procurement rules only require a single quote to be obtained).
3. Where the provider is an approved Disability employment organisation under clause 21B of the Public Sector Employment and Management Regulation 2009 or Aboriginal Entity up to \$150,000 (incl. GST).
4. Exceptional Circumstances (see section above).

In each case (other than (2) listed above) a direct negotiation strategy must first be developed which aligns with the following:

- Direct Negotiations - Guidelines for Managing Risks in Direct Negotiations (ICAC)
- Procurement by Direct Negotiation (NSW Governments Procurement Practice Guide July 2008).

Direct negotiation is not to be used for convenience or to avoid going to market.

Probity requirements continue to apply when permission to enter into direct negotiations is granted. Conflict of Interest statements must be signed before engaging in direct negotiations. **Note:** a contract extension is considered a direct negotiation where extension options were not provided for in the original market engagement and subsequent contract awarded.

Remember that procurement strategies must be genuine with the intention of entering into a commercial agreement.

3.3.4. About Assessment Criteria

The weighting of assessment criteria must be individually tailored for each particular project. You must only use criteria capable of being objectively measured and fairly assessed and which is relevant to your procurement.

Common examples of assessment criteria include:

- Whole of life cost (e.g. initial cost, maintenance, and disposal costs)
- Compliance with relevant specifications and requirements
- Quality assurance procedures and certification and risk management
- Organisational ability to provide the goods and services
- Demonstrated experience and expertise in successfully providing similar goods and services
- Suitability, including qualifications and experience, of proposed personnel
- Appreciation of key matters likely to affect the delivery of goods and services and strategies to ensure timely delivery
- Innovation offered
- Ability to provide flexible service delivery options for projects
- Workplace and industrial relations management
- Environmental and social responsibility performance e.g. environmental and WHS management.

Discussing your draft criteria confidentially with Roads and Maritime colleagues assists in ensuring your criteria are appropriate. Assessment criteria are highly confidential as leaked criteria give an unfair advantage to a prospective tenderer.

You should **not** include “Acceptance of the draft contract” or “Degree of compliance with the draft contract” as an assessment criterion because it is not possible to give an objective score to this. This is because it is difficult for the evaluation panel to assess changes without legal input and because of the difficulty in awarding consistent scores when different tenderers ask for different kinds of contract changes. Instead of including “contract compliance” as an assessment criterion it is recommended that it be dealt with as a risk assessment when identifying the preferred tenderer. For more information please see the Legal factsheet on [Contract Changes Tender Assessment](#).

4. Sourcing



Checklist	Tender and Evaluation checklist
Probity	Probity Adviser FactSheet
Manuals	Engineering Contracts Manual Organisation Delegations Manual
Transport Equip	Strategic Sourcing Factsheet Transport Equip FAQs



- | | |
|---|---|
| <ul style="list-style-type: none"> • When do I need to use a Probity Advisor? | <ul style="list-style-type: none"> • For most projects it will not be necessary. Consider engaging one for high risk projects. For more guidance, consult the Probity Advisor Factsheet. |
|---|---|

Be fair and transparent and select the best supplier! In line with NSW Government requirements, the principal objective of this stage must be achieving the best value for money outcome within a framework of probity and fair dealing, while using panels or prequalification schemes where available.

The complexity and formality of the process will depend on the value and risk associated with the procurement. For a simple procurement less than \$30,000 for non-construction and \$50,000 for construction you need to issue an RFQ, get a written quote and ensure the proposal represents good value for money. For a procurement of \$250,000 and above where no prequalification panel or contract exists, you need to go through a formalised process including specifications, draft contract, public advertising and Tender Assessment Evaluation Panel.

For indirect categories of spend (i.e. those common across the Transport cluster) Strategic Sourcing will be conducted by TSS Procurement in Transport Equip, establishing both the contract and the purchase order. To initiate any Procurement (Indirect Spend) greater than \$250k (incl GST) an request is to be forwarded to TSS Strategic Sourcing via MyTransport who will direct you to the relevant Portfolio Category Manager to develop a procurement strategy in partnership with RMS.

If the handling of the procurement does not fall within the TSS Service Level Agreement they will advise of the fee that would be charged to conduct the activity. The business will determine if that is the appropriate approach to take in those circumstances.

Once a procurement strategy has been developed and approved, TSS will generate an RFx (RFP or EOI) in Transport Equip and publish via the supplier portal.

Exceptions to TSS generating an RFx:

- Direct Spend categories less than \$250k (inclu GST), RMS will generate the RFx and TSS will publish on RMS' behalf
- CM21 managed contracts

For further information, refer to the [Strategic Sourcing Factsheet](#).

4.1. Approach the Market

4.1.1. Prepare the Documentation



RFx Templates	RFx (RFP & EOI) templates
Confidentiality	Confidentiality Agreement (standard)
Documents	Confidentiality Deed (higher sensitivity)
	Confidentiality Deed (Mutual/Two-Way)
	Confidentiality Agreements Guidance Notes
Templates	Index of Legal Template Documents
Legal Advice	Legal Factsheets
NSW Govt	NSW Govt Market Approaches Guide



\$250K and above (incl. GST), RFP's are to be published through Transport Equip Ariba

The RFx templates are now managed in Transport Equip (Ariba Dashboard) and the manual RFx templates are only to be used by exception after prior discussion with the Procurement Branch.

Following the introduction of Transport Equip (Ariba Dashboard), a number of activities will be completed in Transport Equip when approaching the market. Prior to going to market for procurements greater than \$250k (inclu GST) it is mandatory to complete the available training prior to be given access to strategic sourcing functionality. To attend training, discuss it with your manager before initiating a request via Success Factors in Transport Equip.

The main objective here is to make sure the documentation is clear, concise and comprehensive and that you use existing relevant documents and templates. It will usually include:

- Specifications (also known as specs, brief or scope of works)
- A draft contract
- A RFx document (developed in Ariba)
- A Confidentiality Agreement, if required.

Draft contract: A suitable draft contract must be issued with every RFx to ensure tenders and quotes are submitted on the same basis and on Roads and Maritime terms rather than the supplier's. The only exceptions are for an EOI (because an EOI is normally only preliminary to a second stage RFP) and when using a prequalification scheme or panel which already stipulates the required contract.

Common contracts: These include the Professional Services Agreement (PSA) and the Goods and Services Agreement. For a full list of template contracts see the [Index of Template Contracts](#). Depending on the nature of the goods and services it may be necessary to use a tailor-made contract (Legal Branch can advise). In very limited circumstances it may be acceptable to use an [Exchange of Letters](#) in lieu of a formal contract. Template contracts must not be changed without approval from the Legal Branch.

Government Scheme contracts: when engaging off the NSW Government schemes on [Procurepoint](#) the government contract must be used in line with the scheme guidelines to agree the services, delivery and pricing and NOT an RMS contract. Pre-qualified suppliers have already agreed to the whole of government terms and conditions.

The **specifications** set out Roads and Maritime's requirements for goods and services. It should include a clear description of the requirement and all relevant information likely to assist potential suppliers in preparing an appropriate, comprehensive and conforming proposal. Components can be:

- Background and objectives
- Description of goods and services sought including, where relevant, any required minimum requirements or standards
- Schedule for the delivery of goods and services
- Service levels and KPIs
- Reporting requirements
- Proposed payment regime, including any milestones.

When developing the specification, make sure you engage the appropriate technical experts and business users so the specifications reflect the 'real' requirements of the end-users.

Specifications can be divided into three types:

- **Functional specifications:** Defines what the product must do
- **Performance (or output) specifications:** Define the required performance standards to be met by the product or deliverable. For example, the strength and durability of concrete to be supplied such as the +5 year useful life
- **Technical (or input) specifications:** Define the product's detailed technical and physical characteristics, for example, IT standards.

Generally, a combination of these types of specifications is preferred, although by stipulating technical specifications there may be a risk of excluding other products which may be able to fulfil the need. Be careful when using technical specifications not to specify particular brands unless it is absolutely unavoidable.

You should also consider whether there are any records and information management requirements that need to be reflected in the specifications or the draft contract. Refer to the Roads and Maritime's [Local Operating Procedure](#) on "Identifying and addressing records and information management responsibilities in outsourced, cloud and similar service arrangements" for further guidance.

Confidentiality Agreements are recommended whenever Roads and Maritime is providing business sensitive information. In such cases the confidential information (whether the whole RFx or just part of it) must be withheld until a signed agreement is received. Links to template confidentiality agreements are provided above. In most cases the 'standard' one will suffice.

4.1.2. Advertise and Disclose EOI / RFP



Website	Advertising a tender
Law	M2007-01 Public Disclosure of Information

Whenever the estimated contract value is \$250,000 (incl GST) or above you must use an open RFP published on the NSW Government's eTender website via Transport Equip (Ariba Dashboard). If TSS is managing the sourcing event, they will manage the disclosure process.

If you are using an open EOI or RFP, these options also need to be publicly advertised and disclosed. The table in Section 2.3 details the requirement to use an open RFP (unless an exemption is obtained).

The e-tendering administration for Transport Equip Managed Contract types is a TSS responsibility as per the TSS Service Level Agreement. The lead time to advertise an EOI or RFP is 1 working day. For further details contact tss.bidder@transport.nsw.gov.au.

Disclosure requirements for open tenders are shown in the following table. All disclosures must be made on the [eTender website](#). The list of everyone who requests and receives tender invitation documents must also be recorded. This requirement to disclose open tenders is separate from contract disclosure which is dealt with in Section 4.2.9 below.

Stage	Disclosure Time	Disclosure
Tender close	Within seven days of closing	As a minimum: <ul style="list-style-type: none"> A concise description of the proposed work, goods or services, the subject of the tender Closing date The names and addresses of all tenderers.
Shortlisting of tenders (but only in a formal multi-stage tender process)	Within seven days of advising tenderers of shortlisting	The names and addresses of the shortlisted entities, except where such disclosure is likely to compromise the competitiveness of the subsequent tender process. (Note: This requirement only applies to formal multi-stage tenders e.g. an EOI followed by an RFP. It does not apply in a normal single stage tender where Roads and Maritime may select the leading one or two tenderers to negotiate with. In a normal single stage tender no notice of short listing is normally given.

4.1.3. Manage Response Process



Tools & Templates	Addendum Letter of Acceptance Template Unsuccessful Letter Template Manage Mail Offers & Tender Box
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A **pre-tender briefing, held after the tender is released to market**, can be held with or without a site inspection for potential tenderers, in which case you must ensure:

- The briefing is necessary i.e. cannot adequately be included in the tender documents
- The briefing is not misleading or inconsistent with the tender documents
- Attendees sign a Confidentiality Agreement as required
- A record of attendance is taken
- Accurate minutes are taken and sent to all attendees and non-attendees (if briefing is not compulsory).

Response to inquiries from tenderers are formalised by issuing an **addendum** issued to all tenderers. When issuing an addendum, you must observe the following procedure:

- Consult the Probity Officer and the Procurement Branch if needed
- Prepare the addendum as soon as possible so as to allow potential tenderers time to manage it
- Set out the question and the answer in a way that tenderer's cannot identify who asked the question
- Do not disclose any confidential information of a tenderer when answering questions
- Distribute the addendum in a way that maintains the confidentiality of the identity of tenderers
- Require an acknowledgement receipt from each recipient
- Record full details of the inquiry (name, date, time issues & response) and make sure new potential tenderers get the addendum
- If the tenderer raises an issue which is important but has not been dealt with in the tender, Roads and Maritime may need to consider extending the tender closing date to provide tenderers time to address the issue. Ensure in doing so that the extended closing date and time is updated in the tender invitation documents.

Lodgement of RFPs are to be done through Transport Equip (Ariba Dashboard). However, you may use a **tender box** where you have obtained an exemption from using Transport Equip by Roads and Maritime's Chief Procurement Officer, or where Transport Equip is being used but it is not suitable for tenders to be lodged electronically (e.g. design documents).

Late tender submissions are those received after the date and time specified for lodgement irrespective of the date they were posted. They must automatically be rejected unless all of the following can be demonstrated:

- The tender submission was lodged late due to unusual or unexpected reasons which were beyond the tenderer's control
- The RFX states Roads and Maritime has a discretion to accept late tenders
- No tender submissions have been opened

- The Assessment Panel and Probity Advisor or Officer (if any) is satisfied that it does not compromise the integrity and competitiveness of the tendering process.

Acceptance of a late tender submission must be recorded in the tender evaluation report.

4.2. Registering Bidders in Transport Equip

Following the creation of a Sourcing Project in Transport Equip, bidders will be required to register in Transport Equip (if not already) in order to complete and submit a tender response.

Bidders who have not previously registered in Transport Equip must contact the TSS Supplier Enablement team (SET) on supplier.enablement@transport.nsw.gov.au in order to participate in the procurement event. Bidder information, including company name, email address and contact person details will be managed by TSS SET, with the additional information required to be completed by the bidder.

When preparing a tender consider whether advice on the need for bidders to register should be included in the tender information. This will vary depending on expected pool of bidders.

There is a capacity for SET to act as a surrogate bidder on behalf of potential suppliers who cannot submit a bid due to technical difficulties. SET will require adequate information from bidder to do this. This is expected to be an infrequent occurrence.

Successful bidders who have not previously provided services to the Transport Cluster must be established as vendors prior to the finalisation of the tender process.

For further information on bidders and on-boarding successful bidders, refer to the [Strategic Sourcing Factsheet](#).

When using a tender box (electronic or physical), tender submissions being opened must be presided over by the Assessment Panel Convenor (or delegate), another Roads and Maritime witness and a Probity Advisor or Officer (if any). The following procedures are to be followed:

- Conflict of Interest documents signed by all evaluation panel members
- Collect tender submissions immediately after the lodgement closing time
- Open and record the tender submissions
- Prepare an alphabetical list of tenderers
- Get the front of each tender submission (with each copy) and each page where values or prices appear initialled and dated by all witnesses
- The Assessment Panel convenor must then take possession of the original tender submission, if not on Ariba, once collected and ensure the security of the location where each tender is stored.

4.3. Evaluate and Award

The success of this stage is a combination of sound assessment criteria, participation of the right business users and technical experts and compliance with the procedures that ensure fairness and transparency of decision making.

4.3.1. The Tender Assessment Evaluation Panel and Tender Evaluation Plan



Templates	Tender Evaluation Plan Template Negotiation Strategy Template RMS Conflict of Interest Procedure Conflict of Interest Statement Part 1 Conflict of Interest Statement Part 2 Confidentiality Statement Part 3
Ethics	RMS Code of Conduct and Ethics Statement of Business Ethics



<ul style="list-style-type: none"> Ensure tender assessment panel members understand probity obligations and sign the conflict of interest statements Assess tenders only using the assessment criteria set in the Tender Evaluation Plan If relevant, prepare a Negotiation Strategy in line with all probity requirements 	<ul style="list-style-type: none"> Get the assessment report and letter of award signed off by the authorised delegate.
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An **assessment panel** (referred to as panel in this section) must be established according to the following requirements, and is chaired by a panel convenor, who is the person on the panel with the most procurement experience.

Panel member requirements	Up to \$250K (incl. GST)	\$250K to \$2,500K (incl. GST)	More than \$2,500K (incl. GST)
Quorum Minimum****	Two Roads and Maritime/TfNSW staff	Three Roads and Maritime/TfNSW Staff	Three Roads and Maritime/TfNSW Staff
Experience	At least one RMS/TfNSW staff member must have experience in the subject matter of the procurement. Where relevant a technical expert is also required		
Origin	One outside contracting Branch preferably	One outside contracting Division*	One outside Roads and Maritime **
Probity Training ***	Recommended	Compulsory	Compulsory

- * Unless prior approval of the relevant Executive Director is obtained to waive this requirement
- ** Neither labour hire nor any former employees with less than three years separation are considered to be external for this purpose. A paid contractor of consultant is acceptable.
- *** This is not required where an external Probity Adviser has been engaged.
- **** At least one must not be a contractor or labour hire
- Please note:** A Probity Officer can be a member on the assessment panel, whereas, a Probity Advisor is not a member.

If an external **Probity Adviser** has been appointed, they will normally attend all assessment meetings, although they cannot vote. They will also be consulted on all situations that can represent risks such as conflicts of interests, clarifications or alternative tenders.

The following is a list of the **responsibilities** of panel members:

- Confidentiality:** The names of tenderers, the contents of tenders and the assessments being made of them, must be kept confidential. All correspondence must be marked 'confidential'.
- Security:** Both the tenders themselves and all correspondence about them must be kept secure

- **Honesty:** Members must act honestly and with integrity
- **Fairness:** Members must treat tenderers fairly and balance this with the requirement to comply with the rules and procedures set out in the tender invitation document. It is also a requirement to act in the best interest of Roads and Maritime, the Government and the public.
- **Code of Conduct:** Members must be familiar with and comply with the requirements of the Roads and Maritime Code of Conduct and Ethics, the Statement of Business Ethics and, where relevant, the Code of Conduct and Ethics for Public Sector Executives (SES Guidelines).

Each panel member must sign each of the two conflict of interest statements and the confidentiality statement:

- [Conflict of Interest Statement Part I](#): before they become a panel member and involved in the tender process
- [Conflict of Interest Statement Part II](#): once the names of tenderers are known, specifically declaring the member has no personal association with each specific tenderer
- [Confidentiality Statement Part III](#): signed by all project staff, assessment panel members and their advisors at the end of the evaluation process.

Where a panel member is concerned about a possible conflict of interest, they are to discuss with other members and thereafter document the mitigations in the Tender Evaluation Report, which is sign-off by all Panel members. This can be achieved through the assistance of the Probity Advisor or Probity Officer (if any). Once developed the Tender Evaluation Report is to be signed-off by all Panel members and endorsed by the General Manager/Director of the contracting Branch.

The **Tender Evaluation Plan** is the reference document for the panel. It usually includes the following:

- A description of the roles and responsibilities of panel members
- Evaluation methodology, including evaluation criteria and weightings to be applied
- Protocols for identifying and recording conflicts of interest
- An indicative evaluation timetable
- A Tender Evaluation Plan must be finalised before opening tenders.

4.3.2. Setting Assessment Criteria



**Support on price
criteria assessment**

[DFSI Price Assessment Formula](#)

The main assessment method used by Roads and Maritime for assessing tender submissions is the weighted criteria method. Consult the Procurement Branch if you consider another method to be more suitable, e.g. a threshold or 'Go or No Go' basis (financial capacity is usually assessed on that basis).

The **assessment criteria weightings** must be agreed on confidentially and securely recorded by the panel preferably before the invitation documents are released, and definitely before tender submissions are opened. They cannot be changed once the tenders have been opened. The assessment plan and weightings are confidential and cannot be

discussed outside of the Assessment Panel or disclosed to potential tenderer/bidder, as this could allow them to tailor their submission to take advantage of these and not provide a true representation of their capabilities. In the event where a tenderer/bidder may have knowledge of the weightings, the tender or assessment is to be put on hold and the matter referred to the Procurement Branch.

When determining weighting, consideration should be given to the impact or consequence of poor performance in each criteria. For instance, where risks are low the price would normally become the predominant factor. Where risks are high, price becomes less important.

A **rating scale** must be used to evaluate responses on the assessment criteria. It should be agreed by the panel before assessing tenders. For **non-price criteria**, use the suggested rating table below.

Ratings are to be awarded based on the information the bidder/tenderer has provided, not on the personal knowledge of the assessor.

Template Rating Scale for Assessment of Non Price Criteria	
Scale	Meaning
10	Excellent or Outstanding - All requirements are met in an outstanding manner that will provide measureable benefit to Roads and Maritime.
8-9	Very Good - All requirements fully met. Some requirements are exceeded in a way that will provide measureable benefit to Roads and Maritime.
6-7	Good – All requirements are fully met, with possibly some likely benefit to Roads and Maritime.
5	Average – Minimum requirements have been met. Some gaps may be mitigated through negotiation.
4	Below Average - Barely meets requirements and does not inspire confidence.
2-3	Poor - Does not meet requirements. Success is possible but not assured.
0-1	Unacceptable or No Response - Success is unlikely.

For **price criteria**, the subjective template scale above is unsuitable and an objective formula must be applied to give each tenderer/bidder's price a consistent rating. The formula must be agreed on before tenders are assessed. Formulas that can be used in Roads and Maritime to assess price are:

- Department of Finance, Services & Innovation (DFSI) price assessment formula
- Value for money (VfM) calculation.

If you want to use another price assessment formula please contact the Procurement Branch to discuss first.

Please note: You are allowed to keep internal stakeholders, who have executed a confidentiality statement, updated on progress as long as details of submissions or how they are to be assessed is not disclosed and their comments or feedback do not influence the assessment process.

4.3.3. Managing Clarifications

Clarifications may be required in two situations:

1. Something is unclear in the tenderer/bidder's submission and Roads and Maritime needs clarity, or

2. Something is unclear in Roads and Maritime's tender documents and the tenderer/bidder's need clarity.

If Roads and Maritime needs a tenderer/bidder to clarify its proposal the following rules should be applied:

- Send an email or written request to the tenderer/bidder via 'Ariba message board' linked to the sourcing event. Telephone contact is restricted to exceptional circumstances and must be promptly confirmed in writing with the provider.
- The tenderer/bidder may be given the opportunity to explain to remove any confusion but must not be permitted to amend or improve the tender submission.
- Do not disclose extra information (how the assessment is going, who else did or did not lodge a tender submission, or information regarding other tenderers/bidders or tender submissions).
- Consult the Probity Officer (or Adviser, if any)
- Seek advice from the Procurement Branch if needed.

If Roads and Maritime needs to clarify something in the tender documents (e.g. a contract or specification term), Roads and Maritime must provide clarification to all tenderers/bidders via 'Ariba message board'. All tenderers/bidders are to have equal opportunity.

A clarification can only be used to clarify a response to a question in the tender documents and is not a process to seek additional information that may have been omitted from the issued tender documents. During evaluation, a clarification cannot be used to backfill for shortcoming in the tender documents. It can only be used for clarification purposes.

When providing clarifications to tenderers/bidders, care must be taken not to disclose the identity of other tenderers/bidders either directly or indirectly.

If a meeting with a tenderer/bidder is necessary, observe the following steps. Except where it can be justified, all tenderers/bidders should be given the same opportunity for a meeting.

- Send an agenda prior to the meeting
- Ensure at least two staff members are present including Probity Officer (Probity Adviser, if any)
- If possible, hold the meeting on Roads and Maritime's premises
- Prepare agreed minutes of the meeting. A copy of the agreed minutes is to be provided to the tenderer and filed in the relevant records management file
- The meeting must be formal and never part of any social function
- Do not accept any untoward hospitality from the tenderer in order to avoid any perceived bias or favouritism
- If the tenderer is also the incumbent supplier, do not intermingle a tender meeting with any meetings or business concerning their current contract.
- Business as usual meetings can be held with incumbents, however must refrain from discussing any details of the tender that would give them an unfair advantage.

4.3.4. Assessing Tenderers



**Template
Financial Assessment**

[RMS Score Sheet Template](#)
[Financial Assessment Form](#)

Checking for non-conforming tenders is a preliminary step. It includes checking all covering letters, tender forms, schedules and annexures to a tender. A tender is non-conforming if it fails to comply with any of the requirements of the tender invitation document, such as:

- Lodgement after the closing date and time is subject to section 4.1.3 (acceptance of late tenders). Please note Transport Equip Ariba Network does not allow late tenders beyond the close end date/time
- Wrong method of lodgement
- Partial cover of the scope of works
- Unmet mandatory requirements
- No conforming tender submission lodged when the conditions of tender state that an alternative tender submission may only be lodged once a conforming tender submission is lodged
- Attempt to impose conditions on Roads and Maritime in acceptance of the tender
- Absence of signature or signature by an unauthorised office holder
- Incorrect [ABN](#) or [ACN](#) or [ARBN](#)
- Tenderer's standard terms added when Roads and Maritime's required terms are already specified.

If all tender submissions are non-conforming, the panel may conduct negotiations with the tenderer who submitted the most acceptable tender submission, to overcome deficiencies so as to make the submission conforming, based on the assessment criteria.

Non-price criteria are usually scored by each panel member individually, except in situations when a subject matter expert reviews a particular section (e.g. technical responses) in accordance with the Tender Evaluation Plan. This scoring is done without discussion with other panel members or colleagues and is conducted via Transport Equip (Ariba Dashboard) without having regard to pricing in case price influences their opinion. It may be necessary to request assistance in assessing financial capacity.

A financial assessment must be conducted on suppliers prior to contract award for contract values greater than \$250k (inclu GST) or are deemed high risk. Send a completed [financial assessment form](#) to: Contractor.Financial.Assessments@rms.nsw.gov.au. The Financial Planning and Analysis Branch will conduct an internal or external financial assessment dependent on the following thresholds.

- Total contract values less than \$1M (incl GST) an internal financial assessment will be conducted.
- Total contract values greater than \$1M (incl GST) an external financial assessment will be conducted by an NSW Government pre-qualified financial assessor.

Because pricing is scored according to a fixed formula normally the panel convenor will score this and then ask the panel to confirm the calculation. The final assessment for each tender submission is by consensus of the whole panel in a meeting. The final scores may **never** be calculated by taking an average of each member's score.

When checking prices, please be aware of the following:

- Prices are generally exclusive of GST whereas NSW Government procurement thresholds are inclusive of GST.
- For lump sum contracts if the tenderer/bidder has made an error in calculating individual items it is not permissible to make any correction that would lead to the total lump sum changing

- Collusive tendering (or bid-rigging) is unlawful and any suspicions should initially be discussed with the Procurement Branch who may refer the matter to the Audit and Risk Branch for investigation where appropriate. Collusive tendering occurs when two or more suppliers agree in advance the price each will tender, or when an expected supplier purposely does not tender leaving Roads and Maritime with little choice and reduced power as a buyer.

Where two tenderers/bidders have the same or a similar total score, they should be carefully compared with each other and a sensitivity analysis carried out to identify potential differences and the best value for money offer for Roads and Maritime. If this does not resolve the issue then contact the Procurement Branch to discuss whether to issue a “Best and Final Offer” (BAFO).

An **alternative tender** submission provides a proposal of goods and services that are different to those set out in the tender invitation. When dealing with alternative tender submission, the following should apply:

- The applicable delegate must approve it
- Do not breach confidentiality by using information contained in alternative tenders as the basis for calling subsequent tenders
- Justify why you accept the alternative tender, its merit, the adequate information; provided plus any related risks and how they will be managed.

4.3.5. Selecting the Successful Tenderer



Template [Tender Evaluation Plan](#)
[Tender Evaluation Report](#)
[Tender Evaluation Guidelines](#)

The panel must prepare a Tender Evaluation Report detailing all matters that have been considered in the examination and assessment of tender submissions and either recommends a tender submission be accepted or that no tender submission is accepted.

Remember unsuccessful tenderers may submit a request for documents including records of the Tender Evaluation under the [Government Information Public Access Act 2009 \(NSW\) \(GIPAA\)](#). Therefore, all comments need to be objective and evidence based.

With the panel convenor acting as facilitator, all panel members must strive to reach a consensus. If it becomes clear an agreement cannot be reached, then as a last resort the majority should sign the assessment report and the minority prepare and sign a dissenting report for the delegate.

The Tender Evaluation Report should include:

- A copy of the signed Conflicts of Interest Statement Part I & II
- A summary of tender submissions received
- Details of the tender process
- Details of the assessment methodology used, including the ranking of all providers and their weighted scores. Transport Equip (Ariba Dashboard) can offer reporting which will form part of the tender evaluation report.
- Panel recommendations, including estimated contract price and expenditure

- A draft Negotiation Strategy if there are any significant issues still to resolve, or gaps to be closed out which scored 4 or less during evaluation
- A signed copy of a completed Probity statement (or a copy of the Probity Advisor or Officer's final probity report if any).

The Tender Evaluation Report should be submitted to the appropriate Roads and Maritime delegate authorised to approve the purchase as per the Delegations Manual, or sign the Negotiation Strategy if there are issues for resolve. It is the delegate rather than the project manager or panel convenor that must sign the letter of acceptance that is sent to the successful tenderer/bidder.

4.3.6. Negotiation



Guide [Negotiation Strategy](#)
Template

Any negotiation Roads and Maritime staff carry out with tenderers/bidders must be transparent, accountable and in compliance with the process set out in the tender invitation documents. It must also be in accordance with any Negotiation Strategy approved by the delegate.

When entering into negotiation, make sure you:

- Are clear about the purpose of the negotiations
- Prepare a Negotiation Strategy (see template link above)
- Conduct negotiations in a professional and structured way
- Keep written (or video/audio) records of all negotiations including who did/said what, when and why, and decisions made
- Submit the mutually negotiated draft contract, covered by a report describing the results of the negotiation, to the delegate for approval of contract award
- Details of other tenderers submissions must not be disclosed
- You must avoid 'bid-shopping', that is trading off different tenderer/bidder submissions or terms against those from another tenderer/bidder.

4.3.7. Cancellation or Withdrawal of a Tender

Roads and Maritime RFx templates detail that, the Assessment Panel can recommend to the delegate that no tender submission be accepted if:

- All tenderers prices are greater than the approved budget
- The integrity of the tender process has been compromised
- None of the tender submissions satisfactorily met the assessment criteria or the suitable tenderers have withdrawn their tender submission
- The basis upon which Roads and Maritime called for tenders (e.g. its business case) has substantially changed.

The advice to the delegate may also recommend that new tenders be sought.

The RFx template nominates a "tender validity period" (often 90 days) a timeframe within which a tenderer/bidder cannot withdraw or revise their tender submission, and during which time RMS may legitimately evaluate submissions. Once that period has expired a tenderer

may withdraw their tender submission provided Roads and Maritime has not yet issued a Letter of Acceptance.

If a tender process has not been finalised and the end of the tender validity period is approaching, Roads and Maritime should contact all tenderers/bidders and request them to agree to a suitable extension.

4.3.8. Award Contract



Template	Unsuccessful Letter Template
	Letter of Acceptance
Legal Factsheets	Company Signatures/Execution Factsheet
	Company Identity, Name Changes & ACN's
	Trustee & Trust ABN's on Contracts

After the successful tenderer has been approved by the delegate, the following steps should be followed:

- Prepare final version of contract for signing (checking the scope of work/ brief has been updated to reflect the tenderers/bidders tender submission)
- Carefully check ABN, ACN and full legal name
- Check the successful tenderers/bidders relevant insurance cover is acceptable
- Award the contract by sending the Letter of Acceptance and a final contract duplicate to the successful tenderer to sign and return
- Get the delegate to check and execute final documents
- Finally, notify all unsuccessful tenderers/bidders.

Roads and Maritime should sign the contract last, to minimise the risk of work beginning before a contract has been signed or changes being made after Roads and Maritime has signed. Alternatively contracts can be signed in counterpart (one of two copies of a legal document) and then exchanged (i.e. each party signs an identical contract and then swaps them).

Debriefing unsuccessful tenderers/bidders: There is no legal obligation to provide a debriefing. An automated notification is available on Transport Equip (Ariba Dashboard) sent to unsuccessful tenderers/bidders, however does not contain any details. Debriefing can be problematic when unsuccessful tenderers/bidders want to dispute the final decision. It is recommended you only provide a debrief if requested by the unsuccessful tenderer/bidder and at least two Roads and Maritime staff members are in attendance. Discussions are to be documented, internally stored and a simple letter provided informing them on the performance of their tender against the assessment criteria and advising the name of the successful tenderer/bidder. Do not provide information on how the unsuccessful tenderer/bidder performed compared with the winning tenderer or any other tenderers, the details of the winning tenderer and the names of other unsuccessful tenderers are not to be provided.

Full records of the procurement process must be retained on an appropriate file in the Record Management System, for record and audit purposes to protect confidential material.

4.3.9. Contract Disclosure and Record



Factsheet
GIPA Act
CM21

[GIPA Act Contract Disclosure Factsheet](#)
[M2007-01 Public Disclosure of Information](#)
[CM21 Intranet](#)



• **When do I need to publicly disclose a contract?**

• You must disclose a contract for a value of \$150,000 or above (incl. GST). Be mindful if a contract exceeds this threshold as a result of a variation

The **Government Information Public Access Act 2009 (NSW) (GIPA Act)** states contracts within the private sector valued at \$150,000 or more (incl. GST) must be publicly disclosed within 45 days of the contract becoming effective (normally this will be the date the contract is signed).

Disclosure does not include a contract with another agency or local council. Confidential information of the other party cannot be disclosed, for example while the total estimated price of the contract is disclosed, how the price is calculated is not disclosed.

Once a contract is disclosed any future material variations must also be disclosed. As a general guide an increase in price or quantity of 10% or more should be regarded as material.

Note: if an exemption from calling an open tender has been granted, the contract will then become a Class 2 contract under s.30 of GIPA Act, which means more details are required to be publicly disclosed.

TSS will disclose all contracts managed within Transport Equip. GIPA disclosure will be conducted by the TSS Contract Administration team on the eTendering website. There are separate processes for GIPA disclosure when creating and varying a contract. . For further information refer to the [Strategic Sourcing Fact Sheet](#).

In addition to these disclosure requirements, full records of the procurement process should be retained, for record and audit purposes to comply with the State Records Act 1998.

Minimum Record Requirements	
Copy of the tender advertisement if the tender was an open one	Assessment Panel members' individual assessment sheets
Signed Probity Plan (if any)	Assessment Panel's joint weighted scoring
List of tender invitation recipients	Assessment Panel Report (incl. attachments)
List of tender submissions received	Submission to delegate for approval of contract award
The assessment methodology and weightings used	Letter of Award and contract with successful tenderer
Minutes of Assessment Panel meetings	GIPA Act Contract Disclosure
Minutes of meetings or correspondence with tenderers	Debriefing letters
Records of any addendums issued (see section 4.1.3 – Manage response process)	Evidence of successful tenderer ACN/ABN check has occurred (PN200P1).

4.3.10. Raise Purchase Requisitions and Purchase Orders



Transport Equip	Transport Equip Procurement Intranet Shopping Cart Quick Reference Guide
Manual	Organisation Delegations Manual

Transport Equip enables a number of procurement functions to be performed online including:

- The use of shopping carts (an online purchase requisition) to request goods and services
- Using catalogues when creating the shopping cart
- Confirmation of receiving goods and services
- Requests for new suppliers and purchasing agreements
- Approvals and requests for more information.

Raising a purchase order on Transport Equip is mandatory for engagements greater than \$5,000 (incl GST). Engagements less than \$5,000k should be done via a purchasing card where accepted by the vendor, except where a contract or catalogue is in place. In these instances a shopping cart is to be raised. All purchasing orders are to be transmitted to vendors as this becomes the financial commitment. Contingencies are not to be included in the purchase order, all variations need to be raised through Transport Equip.

To raise a **purchase requisition**, a shopping cart is to be created in Transport Equip. Shopping carts are used to make purchases for all contracts managed through Transport Equip. Following approval of the shopping cart via automated workflows to the appropriate Financial Delegate, TSS will then evaluate and raise a purchase order, which will be created and emailed to the vendor.

Before you can begin procuring goods and services using the shopping cart process, you will need to personalise your shopping cart settings. This only needs to be done once. To help set up your shopping cart and check its status, [quick reference guides](#) are available for:

- Personalising a shopping cart
- Changing a delivery address in shopping cart
- Checking the status of your shopping cart
- Generating a purchase order from a fully approved shopping cart
- Adding a new approver to the shopping cart workflow
- Adding a reviewer to the shopping cart workflow
- Approving or rejecting shopping carts and purchase orders.

4.4. Communicate and Transition



- | | |
|--|--|
| <ul style="list-style-type: none"> • Get an exit plan from the current supplier • Hold a meeting with the new supplier to ensure on-boarding is successful | <ul style="list-style-type: none"> • Manage change and communication with key stakeholders |
|--|--|

Transition covers the period between the signing of the contract and the commencement of goods and service delivery. This stage sets the foundations of contract success, or can affect performance if not managed properly. Depending on the context of the contract, careful consideration should be given to the transition between suppliers and to the management of change within the organisation. When drafting specifications for a tender staff should consider what transition-in obligations should exist before commencement of the new contract and what transition-out obligations should exist when the contract nears completion.

4.4.1. Transition Out



Template: [Exit Checklist Template](#)

If the situation requires it (e.g. risk of business disruption due to change in personnel or equipment), the Contract Manager is to ask the incumbent to provide an exit plan or transition-out plan within six months of expiration of a contract for approval by key stakeholders (after first checking what exit obligations exist in the current contract).

To ensure a smooth transition of services, the following key areas are typical included in the exit plan:

- Relationships, responsibilities, obligations and timelines of all parties throughout the transition process
- Any necessary systems, procedures and processes
- Security of intellectual Property (IP) and return on proprietary information, finalisation of monies owed, release of security, etc
- Analysis of costs likely to be incurred while transitioning services to another supplier. Both parties have to sign off on the agreed costs (if applicable).

4.4.2. Transition In

If the situation requires, the RFx should stipulate the new supplier to provide a 'Transition In' plan as part of the implementation of the contract. Key questions to be covered in order to manage the transition in of the new supplier include:

- Who will manage the contract within the organisation?
- What is the purchasing process?
- What is the payment process?
- How will the business engage the contract?

A meeting with the supplier and key stakeholders should be organised to review all aspects of implementing the Transition In plan.

Depending on the complexity of the transition process, you may need to set up a project implementation plan that includes clear project tasks and timelines, as well as communicate the end-to-end process, to ensure knowledge transfer from stakeholders to operations occurs. A dedicated section exists in Roads and Maritime's Contract Management Plan (see 5.1).

Regarding **communication**, you may need to work with HR Organisation Development (where change impacts people) and/or with Communication and Stakeholder Engagement to get advice on the most appropriate channels of communication for the identified target audience.

Your communication strategy may include:

- The development of a user guide for relevant stakeholders outlining the benefits of the new contract and the possible change impact on users;
- Communicating supplier Service Levels Agreement (SLAs);
- Guidelines on how to order and purchase (the supplier engagement);
- Pricing information (who needs to know this and how should it be communicated?);
- Presentations, operational workshops or road shows;
- The use of the intranet.

5. Managing



Guidelines [Supplier Relationship Management Framework](#)



- | | |
|--|---|
| <ul style="list-style-type: none"> • Significant amount of negotiated value is lost if the contract is not properly managed • Implement the correct level of management according to supplier's criticality • Build a contract management plan and manage it | <ul style="list-style-type: none"> • Track and report benefits to show evidence of delivered Value for Money • Use lessons learnt to build a new procurement strategy |
|--|---|

Deliver Value for Money! Every contract states the rights and responsibilities of the parties so it is important to identify, understand and manage this correctly, in order to better ensure we get 'best value for money'. Signing a contract is not the end of a process, but rather the start of an ongoing relationship which needs to be managed in order to deliver the best outcome for Roads and Maritime.

Of course, the level of management is related to the complexity of the contract and the strategic importance of the supplier. It would have been established in the Procurement Strategy and through Roads and Maritime's Supplier Relationship Management Framework.

The Supplier Relationship Management Framework enables us to objectively assess the strategic importance of the supplier for our organisation and to implement the relevant level of contract management. Make sure you act according to these principles.

5.1. Contract Management



Template	Contract Management Plan template
Transport Equip	Contract Management Fact Sheet Contract Creation & Variation Form 5399 Explanation for contract creation & variation form 5399 Receipting goods & services Factsheet TfNSW Intranet Trans Equip-Ariba Receipting
CM21	CM21 Managed Contracts

Contract Management for goods services is to be managed in Transport Equip (Ariba Dashboard). This is Roads and Maritimes main contract management system and is used by procurement specialist or staff who are named as a team member on a sourcing event, evaluation committee or contract. Refer to the [Contract Management Factsheet](#) for further information on managing contracts in Ariba as well as; contract variations, disclosures, claims, disputes and contract performance.

Please note: This does not apply to current users of CM21, who will continue to manage their contracts as current process.

Transport Equip: While many contracts have been relocated into Transport Equip, a selection of contracts (mostly construction and maintenance contracts with complex payment requirements) have remained in CM21. There will be no change to existing CM21 managed contracts. Until contracts move from being fully managed in CM21 to Transport Equip, staff are still required to fill out [Form 5399 \(Contract Creation and Variation\)](#) and email to TSS.RMSContracts@transport.nsw.gov.au for TSS to complete header contract details in Transport Equip Ariba Dashboard and for a purchase order to be generated. Please refer to the [Procurement Overview Factsheet](#) to understand which purchasing types have transitioned to Transport Equip and the types that remain in CM21.

Contracts exceeding \$150k incl GST, or where future variations may raise the value above \$150k, are required to be registered in Transport Equip within 45 days of contract award as per the GIPA Act.

A **Contract Management Plan (CMP)** is a tool for Contract Managers to administer the contract and manage risk. The CMP can be as simple or as complex as required. It may consist of a checklist of important rights and obligations that need to be monitored to ensure compliance and that Roads and Maritime's Contract Manager is responsible for key tasks and activities including:

- Achieving Milestones
- Managing KPIs and Service Levels
- Audit and report dates
- Diarising the contract end date (this is your responsibility: do not rely on others to remind you)
- Diarising any available options to extend the contract
- Maintaining a change control register.

It is recommended to use the Roads and Maritime Contract Management Plan which can be developed and managed in Transport Equip (Ariba Dashboard). A manual template can also be used when more structure and formality is needed.

5.1.1 Receipting of Goods and Services

All goods and services must be receipted in Transport Equip to enable invoice payment, provide an audit trail and allow transparency tracking and monitoring of goods and services. It is the responsibility of RMS staff to receipt goods and services received via Transport Equip.

For suppliers on the Transport Equip Ariba Network, goods receipts must be completed in Transport Equip for goods received for all suppliers except Complete Office Supplies (COS) and Australian Apparel Management Services (AAMS) who will send advance shipping notices which automatically convert to goods receipts in Transport Equip.

It is important to enter the receipt in Transport Equip prior to the invoice being received by accounts payable. If this does not occur, it will result in an **invoice exception** being sent to the purchase order creator's workflow Inbox in Transport Equip. Ensure you regularly monitor your workflow Inbox so that invoices are processed in a timely manner for on-time payment. Please refer to the [receipting of goods and services factsheet](#).

Please Note: to comply with relevant 'separation of duties' the vendor must send their Tax Invoice directly to tss.invoices@transport.nsw.gov.au. The invoice cannot be forwarded on the vendor's behalf by RMS staff as this may result in duplication. Please instruct the vendor to resend to TSS. The vendor may however copy the business representative into the email for reference purposes.

Vendors are to send all invoices to Accounts Payable for processing to:

- Internal: TfNSW AP - Level 2, 2-14 Elsie Street, Burwood 2134
- External: PO Box 533, Burwood 1805
- Email: tss.invoices@transport.nsw.gov.au

Further Information regarding these processes is available at: [TfNSW Intranet Transport Equip / Ariba Receipting](#).

5.2. Performance Management

5.2.1. Measure Performance and Drive Continuous Improvement



Template: [KPI Table Score Card](#)

Framework: [Supplier Relationship and Performance Framework](#)

An organised and structured approach for performance management is critical to maximising value from the relationship. This is driven by key elements of the contract, covering:

- Key Performance Indicators – KPIs (see examples in the KPIs table)
- Reporting (on what and how often)
- Formal meetings (frequency, agendas and minutes)
- Service Level Agreement (SLA).

Meetings must be formalised with agendas and minutes. The objective is to review the performance of the period in question. A partnering approach should be encouraged to discuss and resolve issues, learn from the past and look to improve in the future.

KPIs and **SLAs** should be SMART: Specific, Measurable, Achievable, Realistic and Time related. KPIs must be aligned to the objectives of the contract and activities that are critical to the success of the contract and should be prioritised. Too many KPIs creates a risk that the contract manager may not be able to monitor them.

The strategic importance of the supplier will influence many aspects of performance management, such as:

- The number and type of KPIs
- The frequency of meetings
- The meeting participants, e.g. Roads and Maritime: Category Manager, Procurement Branch and the Supplier (business, contract or project manager would typically attend quarterly meetings for strategic suppliers)
- The subjects covered during meetings, e.g. reviews with strategic suppliers will regularly extend beyond performance management and include strategic planning and alignment, relationship assessment, supply market review trends and joint initiatives to drive further value in the supply relationship.

Contract Managers will be able to evaluate contract performance periodically by creating a Contract Performance Management Project in Transport Equip (Ariba Dashboard). The [Contract Management Fact Sheet](#) provides information regarding performance management including scorecards and surveys.

5.2.2. Track and Report Benefits



Template: [Benefits realisation plan and report](#)

Identifying contract benefits to monitor them throughout the contract provides evidence that value for money has been achieved for Roads and Maritime.

A Benefits Realisation Plan should be completed and reviewed as part of the Contract Management Plan. It must relate to key specific objectives of the procurement activity. Benefits can vary:

Financial status	<ul style="list-style-type: none"> • Financial when they can be translated into dollars: <ul style="list-style-type: none"> ○ Cost Saving: Fulfilment of the objectives of a purchase, at a cost lower than the historical cost or the projected cost. ○ Cost Avoidance: Reduction of future costs, e.g. replacing parts before they fail and cause damage to other parts. This may incur higher or additional costs in the short term but the final or life cycle cost would be lower. ○ Improved Operating Efficiency: The fewer the variations, the lower the cost, the higher the repeatability, the greater the efficiency. • Non-Financial where they provide a view of successful delivery of an outcome, but it is not translated into financial metrics, e.g. customer satisfaction. • This will also cover defined intermediate outcomes.
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Continuity status:	<ul style="list-style-type: none"> • Lasting when it is achieved early and continues, e.g. software maintenance fee is no longer required • Increasing when it develops further over time, e.g. customer adoption of new capabilities • Once-Off when it only occurs once, e.g. a one off cost saving.
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5.3. Contract Review



Factsheet: [Options to extend/renew contracts Factsheet](#)

5.3.1. Reflect on the Contract

Was the contract a success? In order to answer this question, the activities carried out in the Contract Management Plan are reviewed to identify both successes and opportunities for further or future improvement.

Identify any enhancements that could be incorporated into future contracts (i.e. lessons learnt) and make sure you also cover the following:

- Have deliverables changed?
- Has or will technology change our requirements?
- Are there new or alternate goods and services in the market place?
- What is now considered “best practice” by the market place?
- Were any benefits realised?

Extending the contract is not always the right approach, as going back to the market may enable you to get better price and/or quality for Roads and Maritime. When considering a contract extension, make sure you think about the following:

- Other supply options such as whole of government contracts
- If it is appropriate to accept options to extend for a period of time
- Obtaining stakeholder agreement and approval under Roads and Maritime Delegations
- Completing the relevant paperwork to extend.

While extending a contract may be an option, it is not always the right approach particularly if user requirements and/or market dynamics change.

5.3.2. Contract Expiry

Make sure you begin the planning well before the contract ends:

- Start a dialogue with both the contractor and the internal stakeholders at least six months before the contract expiry date
- Start demand and market analysis in anticipation of developing a procurement strategy
- Establish if there are extension options

- If there are no options to renew or extend the contract, a procurement strategy; should be developed to approach the market unless an Exceptional Circumstances Exemption is obtained).

A good understanding of the supply category can only be gained by a disciplined approach to Contract and Performance Management. Only by taking such an approach can an informed decision be made in relation to the contract review.

Audit and Risk Committee Charter

Introduction

1. The Chief Executive has established the Roads and Maritime Services (RMS) Audit and Risk Committee ('the Committee') in compliance with the *Internal Audit and Risk Management Policy for the NSW Public Sector* (TPP 15-03).
2. This charter sets out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

Objective

3. The objective of the Committee is to provide independent assistance to the Chief Executive by monitoring, reviewing and providing advice about RMS' governance processes, risk management and control frameworks, and its external accountability obligations.

Authority

4. The Chief Executive authorises the Committee, within the scope of its role and responsibilities, to:
 - a. obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information)
 - b. discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations)
 - c. request the attendance of any employee, including the Chief Executive, at Committee meetings
 - d. obtain external legal or other professional advice, as considered necessary to meet its responsibilities. The payment of costs for that advice by RMS is subject to the prior approval of the Chief Executive.

Composition and tenure

5. The Committee will consist of at least three (3) members, and no more than five (5) members, inclusive of the Chair, appointed by the Chief Executive.
6. The Chief Executive will appoint the Chair and members of the Committee. The Chair is counted as one member of the Committee.
7. Members will be appointed for an initial period no less than three (3) years and not exceeding five (5) years, after which they will be eligible for extension or re-appointment for a further term(s) subject to a formal review of their performance (noting that the total term on the Committee will not exceed eight (8) years).
8. The Chair must be appointed for one (1) term only for a period of at least three (3) years, with a maximum period of five (5) years. The term of appointment for the Chair can be extended but any extension must not cause the total term to exceed five (5) years as a Chair of the Audit and Risk Committee.
9. Current employees of all NSW government sector agencies (as defined by the *Government Sector Employment Act 2013*), other than State Owned Corporations, cannot serve as members or Chairs of an Audit and Risk Committee.
10. The members should collectively develop, possess and maintain a broad range of skills and experience relevant to the operations, governance and financial management of RMS, the environment in which RMS operates and the contribution that the Committee makes to RMS. At least one member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

Roles and responsibilities

11. The Committee has no executive powers.

12. The Committee is directly responsible and accountable to the Chief Executive for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of RMS rests with the Chief Executive.
13. The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the Chief Executive from time to time.
14. The Committee's responsibilities are to:

15. Risk Management

- 15.1. review whether management has in place a current and appropriate risk management framework that is consistent with AS/NZS ISO 31000:2009
- 15.2. review risk management plans and provide advice to the Chief Executive
- 15.3. seek assurance from management and Internal Audit that risk management processes are operating effectively
- 15.4. seek assurance from management and Internal audit as to the adequacy and effectiveness of internal controls
- 15.5. review risk reports and provide advice to the Chief Executive
- 15.6. review whether a sound and effective approach has been followed in developing risk management plans for major projects or undertakings
- 15.7. review the impact of RMS' risk management on its control environment and insurance arrangements
- 15.8. review RMS' fraud control plan and be satisfied that the agency has appropriate processes and systems in place to capture and effectively investigate fraud related information
- 15.9. review whether a sound and effective approach has been followed in establishing RMS' business continuity planning arrangements, including whether disaster recovery plans have been tested periodically.

16. Control Framework

- 16.1. review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisors, is sound and effective
- 16.2. review whether management has in place relevant policies and procedures, and that these are periodically reviewed and updated
- 16.3. determine whether the appropriate processes are in place to assess, at least once a year, whether laws, regulations, policies and procedures are complied with
- 16.4. review whether appropriate policies and procedures are in place for the management and exercise of delegations
- 16.5. consider how management identifies any required changes to the design or implementation of internal controls
- 16.6. review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

17. External accountability

- 17.1. assess the policies and procedures for management review and consideration of the financial position and performance of the agency including the frequency and nature of that review (including the approach taken to addressing variances and budget risks)
- 17.2. review procedures around early close and year-end
- 17.3. review the financial statements and provide advice to the Chief Executive (including whether appropriate action has been taken in response to audit recommendations and adjustments), and recommend their signing by the Chief Executive
- 17.4. satisfy itself that the financial statements are supported by appropriate management signoff on the statements
- 17.5. review the Chief Financial Officer Letter of Certification and supporting documentation (consistent with NSW Treasury Policy and Guidelines Paper *Certifying the Effectiveness of Internal Controls over Financial Information* (TPP 14-05))
- 17.6. review cash management policies and procedures

- 17.7. review policies and procedures for collection, management and distribution of grants and direct funding
- 17.8. review the processes in place designed to ensure that financial information included in RMS' annual report is consistent with the signed financial statements
- 17.9. satisfy itself that RMS has a performance management framework that is linked to organisational objectives and outcomes.

18. Compliance with applicable laws and regulations

- 18.1. determine whether management has appropriately considered legal and compliance risks as part of RMS' risk assessment and management arrangements
- 18.2. review the effectiveness of the system for monitoring RMS' compliance with applicable laws and regulations, and associated government policies.

19. Internal audit

- 19.1. act as a forum for communication between the Chief Executive, senior management and internal and external audit
- 19.2. review and provide advice to the Chief Executive on the internal audit policies and procedures
- 19.3. review the risk based audit methodology
- 19.4. review the internal audit coverage and annual work plan, ensure the plan is based on RMS' risk management plan, and recommend approval of the plan by the Chief Executive
- 19.5. advise the Chief Executive on the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved internal audit plan
- 19.6. oversee the coordination of audit programs conducted by internal and external audit and other review functions
- 19.7. review audit findings and related recommendations that have been assessed as the most significant according to the risk the audit finding represents to the agency if the recommendation(s) related to the finding are not implemented
- 19.8. provide advice to the Chief Executive on significant issues identified in audit reports and action taken on these issues, including identification and dissemination of good practice
- 19.9. monitor management's implementation of internal audit recommendations
- 19.10. review the internal audit charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place
- 19.11. review and approve the internal audit manual to ensure that it is consistent with professional practices set out in the IIA standards
- 19.12. periodically review the performance of internal audit and the Director Audit and Assurance
- 19.13. provide advice to the Chief Executive on the results of any external assessments of the internal audit function
- 19.14. provide advice to the Chief Executive on whether the Chief Audit Executive should be a dedicated role within the agency
- 19.15. provide advice to the Chief Executive on the appointment or replacement of the Director Audit and Assurance and recommend to the Chief Executive the appointment or replacement of third party internal audit service providers.

20. External audit

- 20.1. act as a forum for communication between RMS, senior management and internal and external audit
- 20.2. provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- 20.3. review all external plans and reports in respect of planned or completed audits and monitor management's implementation of audit recommendations
- 20.4. provide advice to the Chief Executive on action taken on significant issues raised in relevant external audit reports and better practice guides.

Responsibilities of members

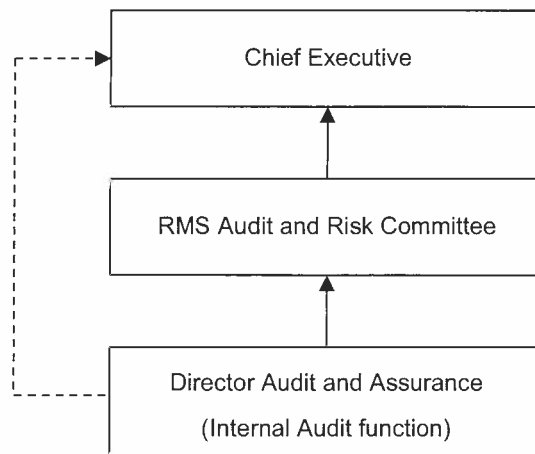
21. Members of the Committee are expected to understand and observe the requirements of the *Internal Audit and Risk Management Policy for the NSW Public Sector* (TPP 15-03). Members are also expected to:
- 21.1. make themselves available as required to attend and participate in meetings
 - 21.2. contribute the time needed to study and understand the papers provided
 - 21.3. apply good analytical skills, objectivity and good judgement
 - 21.4. abide by the relevant ethical codes that apply to employment within the NSW public sector
 - 21.5. express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of enquiry.

Reporting

22. The Committee will regularly, but at least once a year, report to the Chief Executive on its operation and activities during the year. The report should include:
- 22.1. an overall assessment of RMS' risk, control and compliance framework, including details of any significant emerging risks or legislative changes impacting RMS
 - 22.2. a summary of the work the Committee performed to fully discharge its responsibilities during the preceding year
 - 22.3. details of meetings, including the number of meetings held during the relevant period, and the number of meetings each member attended
 - 22.4. a summary of RMS' progress in addressing the findings and recommendations made in internal and external reports
 - 22.5. a summary of the Committee's assessment of the performance of internal audit
23. The Committee may, at any time, report to the Chief Executive any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chief Executive.

Reporting Lines

24. The Committee must at all times ensure it maintains a direct reporting line to and from internal audit and act as a mechanism for internal audit to report to the Chief Executive on functional matters.



Administrative arrangements

Meetings

26. The Committee will meet at least four (4) times per year. A special meeting may be held to review RMS' annual financial statements.
27. The Chair is required to call a meeting if requested to do so by the Chief Executive, or another Committee member.
28. A meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The meeting plan will cover all of the Committee's responsibilities as detailed in this charter.

Attendance at meetings and quorums

29. A quorum will consist of a majority of Committee members. A quorum must include at least two (2) independent members.
30. Meetings can be held in person, by telephone or by video conference.
31. The Chief Executive may attend the meetings of the Audit and Risk Committee. Committee members, if necessary, are able to have in-camera discussions. The Director Audit and Assurance, external audit representatives and any other agency representatives may attend Committee meetings, except where the Committee members wish to have in-camera discussions. The Committee may also request the Chief Financial Officer or other employees attend Committee meetings or participate for certain agenda items.
32. The Committee will meet separately with both the internal and external auditors at least once a year.

Dispute Resolution

33. Members of the Committee and RMS' management should maintain an effective working relationship, and seek to resolve differences by way of open negotiation. However, in the event of a disagreement between the Committee and management, including the Chief Executive, the Chair may, as a last resort, refer the matter to NSW Treasury to be dealt with independently.

Secretariat

34. The Chief Executive will appoint a person to provide secretariat support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, after approval from the Chair, at least one (1) week before the meeting, and ensure the minutes of the meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within two (2) weeks of the meeting to each member and Committee observers, as appropriate.

Conflicts of interest

35. On appointment to the Committee and once a year the Committee members will provide written declarations to the Chief Executive stating they do not have any conflicts of interest that would preclude them from being members of the Committee.

36. Committee members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.
37. Where members or observers at Committee meetings are deemed to have a real, or perceived, conflict of interest it may be appropriate that they are excused from Committee deliberations on the issue where a conflict of interest exists.

Induction

38. New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Assessment arrangements

39. The Chief Executive, in consultation with the Chair of the Committee, will establish a mechanism to review and report on the performance of the Committee, including the performance of the Chair and each member, at least annually. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chief Executive) with appropriate input sought from the Chief Executive, the internal and external auditors, the Director Audit and Assurance, management and any other relevant stakeholders, as determined by the Chief Executive.

Review of charter

40. At least once a year the Committee will review this Charter. This review will include consultation with the Chief Executive.
41. Any substantive changes to this Charter will be recommended by the Committee and formally approved by the Chief Executive.

Reviewed by Chair of Audit and Risk Committee (Sign and Date)

 21.9.18

Approved by Chief Executive (Sign and Date)


12/10/2018

COMPLIANCE MONITORING BUDGETS/ACTUALS

COMPLIANCE MONITORING	FY15/16		FY16/17		FY17/18		FY18/19	
	AUD Actuals	AUD Budget	AUD Actuals	AUD Budget	AUD Actuals	AUD Budget	AUD Actuals YTD OCT	AUD Budget
CAPEX	11,873	11,806	7,509	10,497	16,893	15,720	2,565	26,470
OPEX	57,505	57,688	61,576	60,187	56,949	59,696	15,639	57,359
TOTAL CaRS	69,378	69,494	69,085	70,684	73,842	75,416	18,204	83,829
CAPEX PROJECTS OUTSIDE CaRS	1,374	0	382	300	393	100	-35	13,000

NSW ICAC EXHIBIT

E18/0281/AS-25-001/PR-0001 D10530606

				NUMBERS SOURCED FROM IMS (F				NUMBERS SOURCED FROM EQUIP				Comments
Branch	Project	Project name		FY16 AUD Actuals	FY16 AUD Budget	FY17 AUD Actuals	FY17 AUD Budget	FY18 AUD Actuals	FY18 AUD Budget	FY19 AUD Actuals YTD OCT	FY19 AUD Budget	
Capex	Compliance Monitoring	P.0018355	Red Light Speed Camera - Capital	3,973	5,341	1,369	1,500	3,662	3,000	929	2,270	
Capex	Compliance Monitoring	P.0018356	Point to Point Speed Camera - Capital	1	0	0	2,178	916	2,000	140	7,800	
Capex	Compliance Monitoring	P.0018366	RLSC ARP - Capital	678	620	294	-0	1,208	1,500	55	1,550	
Capex	Compliance Monitoring	P.0018367	SAFE-T-CAM - ARP	1,136	1,161	1,178	1,619	4,790	4,720	1,080	5,500	
Capex	Compliance Monitoring	P.0018369	FDSC Capital	168	300	215	0	44	0	0	0	
Capex	Compliance Monitoring	P.0018377	Asset Replacement Program P2P	1,626	1,500	835	0	1,434	1,500	-28	1,550	
Capex	Compliance Monitoring	P.0018378	FDSC Asset Replacement Program	2,324	2,500	2,770	5,200	2,913	3,000	382	3,100	
Capex	Compliance Monitoring	P.0033298	HV Portable Weigh Scales Asset Rplmnt	0	0	0	0	1,925	0	8	0	Project closed as requested by Capex team in order to create it under a different TIP ID. The spend for FY17/18 was funded using the budget for Photo cards as this project did not commence
Capex	Compliance Monitoring	P.0036738	HV Portable Weigh Scales Asset Rplmnt	0	0	0	0	0	0	0	4,700	Refer above. The approved budget for Weigh scales for the current year is \$7m, however this amount is not yet reflected in the TIP. This will be corrected in the next TIP update. However Corporate did confirm that the business could go ahead and spend \$7m. This funding was sourced from the NHVR Reg Fund.
Capex	Compliance Monitoring	P.0018383	FDSC Capital RB	697	0	562					0	
Capex	Compliance Monitoring	P.0018384	FDSC Capital RB	287	0	285					0	
	Compliance Systems	Other	Mobile Speed Camera - Capital	983	384	0					0	
TOTAL CAPEX				11,873	11,806	7,509	10,497	16,893	15,720	2,565	26,470	
CAPEX PROJECTS OUTSIDE CaRS												
Capex	Regional & Freight	P.0014297	HW27 Dunedoo HV Inspection Station	45	0	45	300	46	100	1	4,000	
Capex	Regional & Freight	P.0014047	Newell Hwy Heavy Vehicle Insp Stations	220	0	109	0	154	0	34	1,500	
Capex	Sydney	P.0013930	HV4 Enforce Bays - Port Botany & Western	1,109	0	227	0	193	0	-71	7,500	
TOTAL				1,374	0	382	300	393	100	-35	13,000	
OPEX												
Opex	Compliance Monitoring	P.0012278	Red Light Cameras Recurrent	6,686	6,000	7,436	6,000	7,435	7,436	2,838	8,098	
Opex	Compliance Monitoring	P.0012279	Point-to-point Recurrent	3,810	3,200	3,988	3,200	4,676	3,988	1,182	5,569	
Opex	Compliance Monitoring	P.0015913	Case2Court Management System maintenance	0	0	0	0	0	153	79	183	
Opex	Compliance Monitoring	P.0015915	Mobile Speed Cameras - Recurrent	1,809	1,500	1,804	1,500	1,661	1,660	511	1,937	
Opex	Compliance Monitoring	P.0015922	HVP -STC Mtc	0	0	441	430	536	443	156	452	
Opex	Compliance Monitoring	P.0015926	EMISSION STATE PROJECT	0	0	139	180	37	-0	3	50	
Opex	Compliance Monitoring	P.0015931	Business Support & Reporting	0	0	-7	44	11	100	6	102	
Opex	Compliance Monitoring	P.0015978	Environment Program RB	0	0	368	1,031	12	10	5	10	
Opex	Compliance Monitoring	P.0016032	Mobile Speed Camera - Contract	20,642	21,000	21,104	21,055	21,173	21,500	4,199	14,760	
Opex	Compliance Monitoring	P.0016041	Camera Infrastructure Support - RB	0	0	235	380	196	203	90	0	
Opex	Compliance Monitoring	P.0016079	Operations Support & Development	0	0	555	258	572	477	255	486	
Opex	Compliance Monitoring	P.0016348	RLSC CMO Downer Mouchel ITS	0	0	38	0	-0	88	0	0	
Opex	Compliance Monitoring	P.0018345	FDSC General Recurrent	2,469	2,526	2,745	3,058	1,879	3,000	561	3,060	
Opex	Compliance Monitoring	P.0018347	FDSC Certification - Camera Compliance	0	0	239	700	283	686	126	510	
Opex	Compliance Monitoring	P.0018348	FDSC - IT projects (OS&D)	0	0	631	670	23	690	4	704	
Opex	Compliance Monitoring	P.0018350	FDSC Camera Maintenance Camera Networks	0	0	623	860	1,158	836	399	919	
Opex	Compliance Monitoring	P.0018351	FDSC Site Maintenance Fixed Camera Sup	1,598	1,950	1,819	1,950	1,583	1,850	305	1,887	
Opex	Compliance Monitoring	P.0018352	Vehicle Emission Enforcement System VEEs	0	0	511	443	597	568	38	568	
Opex	Compliance Monitoring	P.0018354	Overlength Vehicle Detection OLVd	0	0	193	307	298	531	104	225	
Opex	Compliance Monitoring	P.0018358	STC - GENERAL	0	0	325	512	864	512	145	522	
Opex	Compliance Monitoring	P.0018360	STC Legal Compliance Adjudication	0	0	0	20	0	20	0	20	
Opex	Compliance Monitoring	P.0018361	STC Site Maintenance	0	0	1,185	550	627	550	254	600	
Opex	Compliance Monitoring	P.0018375	Access Databade Integration	0	0	174	193	0	199	0	203	
Opex	Compliance Monitoring	P.0018385	Windows 7 upgrade	0	0	2,712	2,300	215	950	0	0	
Opex	Compliance Monitoring	P.0018638	EMISSION STATE PROJECT	0	0	65	160	68	65	18	66	
Opex	Compliance Monitoring	P.0018658	Vehicle Telematics RB	0	0	1,273	1,508	813	892	407	1,252	
Opex	Compliance Monitoring	P.0018663	IAP Ops support & testing	0	0	465	474	470	488	148	498	
Opex	Compliance Monitoring	P.0018668	HVP - Heavy Vehicle Systems	1,571	1,643	1,905	1,669	2,109	2,568	1,186	2,568	
Opex	Compliance Monitoring	P.0018672	IMIT DATA CENTRE DISTRIBUTION	2,327	2,236	2,161	2,236	2,170	2,236	723	2,281	
Opex	Compliance Monitoring	P.0018688	HVP - HV Maintenance RB	3,626	2,363	2,991	2,812	3,500	3,083	648	3,500	
Opex	Compliance Monitoring	P.0018702	ISO support & communications	0	0	39	18	-1	25	0	26	
Opex	Compliance Monitoring	P.0018711	MOBILE TRAILER FOR NOISE CAMERA	0	0	0	0	0	-0	1	0	
Opex	Compliance Monitoring	P.0018713	School Zone Safety Program Recurrent	3,349	3,000	3,260	3,000	3,146	3,260	1,011	3,408	
Opex	Compliance Monitoring	P.0023525	IT Systems - RB	0	0	68	0	416	369	204	546	
Opex	Compliance Monitoring	P.0036214	Truck Scan System	0	0	0	0	218	-0	35	0	
Opex	Compliance Monitoring	P.0015975	Green Truck Partnership - Phase 3	0	0	1	20	25	0		0	
Opex	Compliance Monitoring	P.0016349	FDSC school CMO Lend Lease Tyco	0	0	0	0	92	-0		0	
Opex	Compliance Monitoring	P.0018710	FIXED SITES FOR NOISE CAMERAS	0	0	41	240	1	0		0	
Opex	Compliance Monitoring	P.0023526	Quality Systems - RB	0	0	45	0	88	260		0	
Opex	Compliance Monitoring	P.0015950	M5 East tunnel retrofit	0	0	0	200				0	
Opex	Compliance Monitoring	P.0018682	DRIVE GREEN MARKETING	0	0	0	121				0	
Opex	Compliance Monitoring	P.0016347	FDSC school CMO Downer Mouchel ITS	0	0	1					0	
Opex	Compliance Monitoring	P.0018374	CCMS Stabilisation work	0	0	59					0	
Opex	Compliance Monitoring	P.0018376	Scoping STC Upgrade	0	0	6					0	
Opex	Compliance Monitoring	P.0018379	FDSC Maintenance Downer Mouchel ITS	0	0	18					0	
	Compliance Systems		Remaining low value projects including Resource	7,852	10,213						0	
				57,505	57,688	61,576	60,187	56,949	59,696	15,639	57,359	

Terms of Reference

Roads and Maritime Services Executive Committee

1. Preliminary

The Chief Executive has established the Executive Committee as part of Roads and Maritime Services Executive Governance Framework.

This document sets out the Terms of Reference for the Committee including authority and responsibilities to enable the Committee to function effectively.

2. Role and Functions

The Roads and Maritime Executive Committee is the principal governing body of the agency and incorporates the Roads and Maritime Executive Safety Committee.

The role of the Roads and Maritime Executive Committee is to support the Chief Executive and Executive Directors in leading and monitoring the effective and efficient operations and performance of Roads and Maritime Services. It is also responsible for ensuring safety and risk management strategies are embedded across the agency and safety performance is regularly reviewed.

The role of the Committee is twofold: (1) Strategic and (2) Operational.

1. Strategic meetings (facilitated monthly and quarterly):

- Oversee the development of strategies, principles, plans and major operational policies for Roads and Maritime, ensuring consistency with TfNSW and broader Government strategies, policies and requirements.
- Oversee strategic issues and risk management, including monitoring the effectiveness of:
 - policies and procedures established to ensure Roads and Maritime complies with significant legal and central agency policy obligations
 - safety management policies, practices and performance including steps taken to confirm critical safety controls are appropriately designed and are operating effectively;
 - Government, customer and community engagement strategies, including those for major projects and events;
 - actions taken in response to internal or external audit findings, investor assurance reviews, post incident / lessons learned reviews and investigations, regulator or other independent reviews (e.g. Ombudsman, SafeWork, ICAC, NSW Coroner, other commissioned reviews)
- Monitor financial and operational performance against strategies, plans and key performance indicators

- Monitor the implementation of significant corporate programs and initiatives in line with Roads and Maritime corporate plan
- Monitor the progress of the OneRMS business improvement program
- Oversee RMS planning for and response to any operational or reputational crises.
- Undertake assurance on key statutory and relevant policy requirements to ensure that the organisation is meeting its obligations in this regard.

2. Operational meetings (facilitated weekly) to:

- Receive reports from members of the Executive including progress updates on ongoing operational projects/issues, showcase key achievements and to report on emerging risks
- Receive reports and/or updates from external stakeholders on matters relevant to Roads and Maritime and the Transport for NSW cluster
- Any other specific matters requested by the Chief Executive

3. Authority

The Chief Executive may only delegate financial and legislative authority to individuals and as a consequence, the Committee may not make decisions to commit or incur expenditure or apply legal authorities. For all decisions, the Committee develops preferred positions or endorses options for the Chief Executive Officer, Chief Financial Officer or specific Executive Directors to approve in accordance with the Roads and Maritime delegations.

Preferred positions / endorsements determined by the Committee will be by consensus. Where a consensus is unable to be reached, the Chief Executive will decide the matter.

4. Membership

Membership of the Committee is:

- Chief Executive (Chair)
- Executive Director, Regional and Freight
- Executive Director, Sydney
- Executive Director, Motorways
- Executive Director, Maritime
- Executive Director, Compliance and Regulatory Services
- Executive Director, Technical and Project Services
- Chief Financial Officer
- Executive Director, Business Services
- Chief of Staff

A person acting in any of the above positions is considered to be a member of the Committee for the term of the acting arrangement.

The Chief Executive is Chair of the Committee. The Chief Executive shall designate an Acting Chair from amongst the Committee members if unable to attend a meeting.

All members are required to attend meetings. If a member is unable to attend a meeting, they must send a suitable representative to act as a delegate for decision-making.

Persons other than Committee members and the Secretariat attend as guests on an invitation-only basis. This attendance is only for the time needed to address the Committee. Invitations are issued by the Chief Executive, through the Secretariat.

All members are to ensure they are prepared for Committee deliberations and are able to contribute to meetings and support efficient and effective operation of the Committee.

5. Meetings

The Executive Committee will hold the following meetings:

- Weekly meeting: (not held the week of a monthly meeting or the week following the monthly meeting) on operational issues scheduled for two hours. Meeting can be extended if required. Key Issues, MP Engagement and Safety are standing agenda items.
- Monthly meeting (generally last Friday of the month) on strategic issues for a full day. Committee members will discuss the standing agenda items.
- Quarterly Performance meeting: One full day each quarter to evaluate how Roads and Maritime is continuing to deliver value (Quarterly Performance meeting). The CFO (in collaboration with Chief of Staff and Executive Director Business Services) develops the agenda for these meetings. The Quarterly Performance Meetings will be held in February, April, July and October and will include a dedicated safety focus.

Standing Agenda items for Monthly Meeting:

Item	Division
People and Culture	BSD
Safety	BSD
RMS Performance report	F&I
Finance report	F&I
OneRMS Program Office report	OCE
Environment Report	BSD
General Counsel report	BSD
IT Performance Dashboard	BSD
Asset Management Committee	F&I
Engineering and Design Committee (Quarterly only)	R&F
Technical Capability Steering Committee	MTW (lead)

The Committee will receive quarterly reports on matters overseen by the Audit and Risk Committee.

The Chief Financial Officer is responsible for bringing matters from the Asset Management Committee to the attention of the Executive Committee on a monthly basis using the Executive Committee 'for noting' template.

The Executive Director, Regional and Freight is responsible for bringing matters from the Engineering and Design Committee to the attention of the Executive Committee on a quarterly basis using the Executive Committee 'for noting' template

Executive Directors are responsible for leading discussions that are relevant to the agency and have a broader operational impact beyond a single Division.

Meetings will be conducted at a place determined by the Chief Executive and will be conducted on a formal basis and minutes taken. The minutes must record the following:

- Date and location of the meeting
- Attendees, apologies and absentees

- Agenda items discussed
- Action items (including responsibility and timeframe)
- Approvals, recommendations of the Committee (including rationale)

The Minutes are to be approved by members as a true and accurate record at the commencement of the next meeting.

Members may participate in a meeting by telephone or by the use of video conferencing facilities.

The quorum is five Committee members (including the Chief Executive or Acting Chair). Delegates for absent members are permitted with approval from the Chief Executive.

Matters that are within the accountabilities of an Executive Director shall be resolved by that Executive Director. The Executive Directors may brief and/or seek input from the Executive Committee on these matters.

6. Independent Advice

The Committee may seek independent advice to inform its endorsements/recommendations. The nature and scope of the advice will be determined by the Committee. Providers of independent advice shall report to the Committee in a timely manner as specified.

7. Other Committee Relationships

Roads and Maritime governance framework incorporates three executive committees which report to the Executive Committee. These are: Audit and Risk Committee; Asset Management Committee and Engineering and Design Committee.

These committees will report regularly to the Executive Committee (outlined in Section 5).

The Asset Management Committee and the Engineering and Design Committee will present annually (in July each year) to the Executive Committee on achievements, how the committee contributes to strategic planning, the value add of the committee and forward program.

The Executive Committee may endorse the establishment of a steering committee to manage the delivery of Agency-wide initiatives requiring collaboration across Divisions. The establishment of a steering committee by another executive committee must be endorsed by the Executive Committee.

Executive Directors may establish divisional committees (formerly known as operational committees) to support decision making, however the Executive Director will remain accountable for the decisions and subsequent delivery. These committees will not form part of the Executive Governance. Executive Directors will be responsible for bringing appropriate matters to the attention of the Executive Committee when required, in line with RMS governance principles and using the Executive Committee 'for noting' template.

8. Secretariat

The Office of the Chief Executive will provide secretariat support to the Committee and is responsible for:

- Maintaining the forward meeting agenda, scheduling meetings and developing the agenda for each meeting
 - Agenda items can be requested by the Executive (noted during meeting) or by Divisions

- Requests from Divisions are to be sent to Executive Secretariat who will confirm meeting date to the Division
- Coordinating the preparation of papers and reports for meetings
 - Papers for the Committee are due at midday 3 working days prior to the meeting. Late papers will be held over to next available time on the meeting schedule
- Prioritising matters based on their expected impact on Ministers, customers, community, employees, suppliers or other key stakeholders
- Distributing papers at least two working days prior to meetings
- Recording minutes of meetings and distributing these to members no more than one working days after meetings
- Ensuring agreed action items from all Executive Committee meetings (including Quarterly Performance) are recorded in the Action Register
- Monitoring progress of any actions or projects agreed by the Committee.

The Secretariat will ensure that electronic copies of all relevant documents presented to the Committee (including agendas, papers and minutes) are saved in Objective and are available on Convene 2 days prior to the meeting date.

9. Annual Review

At the end of each financial year there will be an assessment of the operation and functioning of the Committee, focusing on the extent to which the Committee has delivered its roles and responsibilities against these Terms of Reference. This assessment may be done by either the Secretariat, internal audit or an external expert.

In preparing the report, the assessor will consult with the Chair and other members of the Committee. The report will make recommendations as to the ongoing role and functions of the Committee and propose any changes to the Terms of Reference that may be required to ensure continued effectiveness.

Approved by:



Ken Kanofski
Chief Executive

Date effective:
6 November 2018