

Probity checklist



Template instructions

- You can adapt this template to suit the nature of your project. For example, if you're planning a simple procurement you won't need all the listed documents.

Planning

Action	Record	✓
Project initiation documents	<ul style="list-style-type: none"> Business case. Procurement Plan. 	
Budget approval	<ul style="list-style-type: none"> Signed financial authority. 	
Probity auditor This will depend on the size and complexity of your procurement.	<ul style="list-style-type: none"> Independent auditor probity plan. Interim and final reports. 	
Procurement team Check procurement team members' credentials and assign roles and responsibilities. Team members approve the project requirements, evaluation criteria and weightings. They should be familiar with the Procurement Plan.	<ul style="list-style-type: none"> Project Charter. 	
Protecting confidential information Establish protocols to ensure that confidential and commercially sensitive information is protected. Set up confidentiality procedures, so that confidential information is only available to those who need it. Brief all staff associated with the tender about these procedures.	<ul style="list-style-type: none"> Protocol to protect confidential information (could be included in the Project Charter). 	
Conflict of Interest Declarations and Confidentiality Agreements Ensure that everyone involved in the project signs these documents. Set up policies to deal with conflicts of interest at the outset, rather than attempting to manage any issues part way through a purchasing process. Manage any identified conflicts of interest.	<ul style="list-style-type: none"> Signed Declarations. Management plan for any identified conflict of interest. 	
Appropriate procurement method Ensure the proposed procurement method (eg closed tender or open multi-stage tender) complies with your procurement policy and the Mandatory Rules for Procurement. If not, identify reasons for an exception to the policy and Rules and obtain approval from an independent senior manager.	<ul style="list-style-type: none"> Procurement method contained in the Procurement Plan. 	

<p>Evaluation criteria</p> <p>Check that the evaluation criteria and weightings have been signed off by the procurement team and included in the tender documents.</p>	<ul style="list-style-type: none"> • Evaluation criteria and weightings contained in the Procurement Plan.
<p>Timeframe</p> <p>Ensure you have allowed a reasonable time for suppliers to respond.</p> <p>Check the publishing deadlines (eg for newspaper advertisements) to ensure the advertisement will appear in time.</p>	<ul style="list-style-type: none"> • GETS advertisement. • Newspaper or industry.
<p>Risk register</p> <p>Establish a risk register for the procurement and overall project management</p>	<ul style="list-style-type: none"> • Risk register
<p>Probity plan</p> <p>Develop a probity plan and have it approved.</p>	<ul style="list-style-type: none"> • Probity plan.
<p>Physical security</p> <p>Set up physical security procedures, eg, document register, data room.</p>	<ul style="list-style-type: none"> • Document register.
<p>Review probity at completion of Planning milestone</p> <p>Check that all of the requirements of the Probity Plan have been met.</p>	<ul style="list-style-type: none"> •

Approach to market

Action	Record	✓
<p>RFx</p> <p>Write the RFx, including performance measures and targets, and advice about how the RFx will be evaluated. Clearly set out all legal issues, intellectual property restrictions and so on.</p> <p>Have the RFx peer reviewed and gain approval to proceed to market.</p>	<ul style="list-style-type: none"> • RFx document. • Approval to proceed. 	
<p>Approach to market</p> <p>Ensure that the tender advertising process is adequate for the specific project</p> <p>Publish RFx (open tender) or distribute RFx (closed tender).</p>	<ul style="list-style-type: none"> • Copy of GETS web page, media ad, or e-mails/letters demonstrating approach to market. 	
<p>Supplier briefings</p> <p>Provide plenty of notice to all interested suppliers.</p> <p>Record what was said at the meetings. Make this available to all interested suppliers.</p> <p>If there are any alterations or corrections to the tender documents, ensure that all bidders have access to the same information, allowing them the same time and opportunity to re-submit their bids.</p>	<ul style="list-style-type: none"> • Invitations. • Meeting notes. • Q&As. 	
<p>Supplier questions</p> <p>Log each question and answer.</p> <p>Show evidence of the publication of Q&As.</p> <p>Note where commercially sensitive information has been</p>	<ul style="list-style-type: none"> • Supplier questions log. • Copy of GETS web page demonstrating publication of Q&As (open process) or e-mails to suppliers (closed 	

protected with a description of the information. Ensure that all tenderers have access to the same information. Ensure that any clarification of additional detail must be provided to all suppliers.	process).
Managing tenders Set up a procedure for opening the tender box. Establish a system to record tender receipts – witnessed. Ensure no tenders are opened before the closing date. Acknowledge the receipt of tenders. Ensure that all tenderers' information is secure at all times.	<ul style="list-style-type: none"> • Tender box procedure. • Tender log. • Copy of each tender received. • E-mails/Letters to suppliers acknowledging receipt of tenders.
Review probity at completion of Approach to Market milestone Check that all of the requirements of the Probity Plan have been met.	•

Evaluation

Action	Record	✓
Conditions of tender Check that each tender meets the rules of the RFx process (eg delivered on time). Check that each tender meets mandatory conditions or preconditions. Ensure that all suppliers have access to information about any change, and have equal opportunity to change their bids.	<ul style="list-style-type: none"> • Tender log. • Minutes of evaluations against mandatory conditions/preconditions. 	
Conflicts of interest Ask each person to review their Conflict of Interest Declaration in relation to the suppliers that have tendered. Manage any conflicts of interest arising.	<ul style="list-style-type: none"> • Updated signed Declarations. • Management plan for any identified conflict of interest. 	
Evaluation Check that all tenders have been treated in the same way, that criteria have been applied uniformly and that the evaluation panel's recommendation is justifiable. Document the reasons for the choice of the preferred tenderer, and make sure these reasons are clear and defensible.	<ul style="list-style-type: none"> • Document evaluation process including interviews, supplier presentations, site visits, due diligence etc. • Evaluation panel minutes. 	
Due diligence Perform due diligence of short listed tenderers, possibly including corporate information including ownership, litigation, director's profiles, financial security and past history. Referee checking procedures should be substantially the same for all suppliers, and confidentiality assured	<ul style="list-style-type: none"> • Document the results of due diligence / referee checks 	
Review probity at completion of Evaluation milestone Check that all of the requirements of the Probity Plan have been met.	•	

Recommendation, negotiation and contract

Action	Record	✓
<p>Recommendation</p> <p>An independent person reviews the evaluation panel's recommendation and either accepts or rejects it.</p> <p>Obtain approval to proceed to contract before starting negotiations. Clarify authorised limits for negotiation. Review the delegated financial authority if the price is higher than the original budget.</p>	<ul style="list-style-type: none"> • Evaluation panel recommendation. • Approval of panel recommendation. • Conflict of Interest Declaration by person accepting/rejecting panel recommendation. 	
<p>Negotiations</p> <p>Document points for negotiation, negotiation discussions, agreed points, outstanding issues and negotiation completion. Ensure the contract reflects the negotiated agreement.</p>	<ul style="list-style-type: none"> • Negotiation minutes. • Signed contract. 	
<p>Communication and debriefs</p> <p>All suppliers notified of the result, as soon as possible.</p> <p>Unsuccessful tenderers are debriefed, if they request it.</p> <p>The successful tender should be accepted, subject to contract.</p>	<ul style="list-style-type: none"> • Letters to unsuccessful suppliers offering a debrief. • Post award notice on GETS. • Note of debrief with each supplier. 	
<p>Documentation and Records management</p> <p>Ensure all decisions and actions are documented.</p> <p>Prepare files and store records of the procurement securely.</p>	<ul style="list-style-type: none"> • Comprehensive files and records. 	
<p>Probity debrief</p> <p>Complete a probity review when the process is completed.</p> <p>Prepare a signed, written final report describing the agency's performance.</p>	<ul style="list-style-type: none"> • Probity review. 	