

Country case: Conflict of interest management during tender evaluation in Australia

Description

The Government of South Australia's Department of Planning, Transport and Infrastructure (DPTI) suggests ways to address potential and material conflict-of-interest situations during the procurement process through the Procurement Management Framework. It states that the DPTI staff member should notify the evaluation Panel Chairperson as soon as they notice any apparent conflict-of-interest situation. Even though a potential conflict of interest will not necessarily preclude a person from being involved in the evaluation process, it is declared and can be independently assessed.

Public Procurement
Principle: **Integrity,**
Risk Management

Procurement Stage:
Tendering

Audience: **Procuring Entity,**
Private Sector

It also lists situations that would be considered as a material conflict of interest of a staff in relation to a company submitting a tender including:

- A significant shareholding in a small private company which is submitting a tender;
- Having an immediate relative (*e.g.* son, daughter, partner, sibling) employed by a company which is tendering, even though that person is not involved in the preparation of the tender and winning the tender would have a material impact on the company;
- Having a relative who is involved in the preparation of the tender to be submitted by a company;
- Exhibiting a bias or partiality for or against a tender (*e.g.* because of events that occurred during a previous contract);
- A person, engaged under a contract to assist DPTI with the assessment, assessing a direct competitor who is submitting a tender;
- Regularly socialising with an employee of tenderer who is involved with the preparation of the tender;
- Having received gifts, hospitality or similar benefits from a tenderer in the period leading up to the call of tenders;
- Having recently left the employment of a tenderer;
- Considering an offer of future employment or some other inducement from a tenderer.

Source: OECD (2016), [Towards Efficient Public Procurement in Colombia: Making the Difference](#), OECD Publishing, Paris.