

Managing an unsolicited proposal – procurement guide



Where do proposals come from?

A supplier might approach a department wherever they identify a potential need for their product or service. Proposals are often made on a targeted but ad hoc basis where there may be no planned procurement requirement.

When organisations begin publishing their procurement activity plans online under the proposed procurement reform, they may see an increase in unsolicited proposals.

Procurement activity plans provide an overview of procurement requirements over the next 12–24 months, including the anticipated release date of individual procurement activity.

What is an unsolicited proposal?

An unsolicited proposal is an approach by a person or business with an offer for your organisation outside of any formal approach to the market by your organisation for the supply of specific goods or services.

A business could approach your organisation through different channel such as:

- the Minister/Minister's office;
- senior management; or
- an officer in your organisation.

Sometimes it follows a demonstration of a product or service where government officers are invited to facilitate interest and familiarity with a subsequent proposal.

Proposals often claim a high level of innovation or that adopting the proposal will deliver cost savings and productivity improvements. While these benefits might sound attractive, all proposals should be assessed for relevance to your organisation.

The supplier may be seeking adoption of the proposal, or seed funding to further develop a concept for early commercialisation. They may suggest a joint development opportunity or simply be gathering information on future organisational requirements.

Where the supplier is seeking seed funding involving a cooperative, collaborative or alliancing arrangement, this should be managed under your organisation's grant procedures. The assessment processes outlined in Figure 1 could also be applied to grant funding procedures.

Probity standards and assessing an unsolicited proposals

If you choose to disregard unsolicited proposals, you could miss opportunities to achieve better value for money outcomes or to better understand the market in relation to a category of goods and services.

However, an unsolicited proposal can give rise to significant probity and process issues. If you proceed with a proposal that pre-empt's wider market testing or you pilot the proposal, the broader supplier market could claim unfair advantage. If you do opt for a pilot and you want to test knowledge gained during the pilot, you need to create a 'level playing field' for other potential suppliers.

The Minister's office should be fully conversant with your organisation's process for managing unsolicited bids to prevent any commitment by government before an appropriate testing and validation process.

Using this guide

This guide accompanies the Victorian Government Purchasing Board's (VGPB) new procurement framework. Refer to the policies for mandatory requirements. For more information, visit the Procurement Victoria website at www.procurement.vic.gov.au

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