Procurement Form (Goods and Services Supply)

Part A

This Member Contract for Goods and Services Supply is made pursuant to the Panel Agreement with agreement number [***insert Panel reference number number***] (**Panel Agreement**) between:

1. Western Australian Local Government Association  
   ABN: 28 126 945 127 (**WALGA**)

and

1. [***Insert Supplier’s name and details***] (**Supplier**)

**Procurement Form Number:** [***Insert Procurement Form Number***]

**Principal:** [***Insert description of Principal.***]

It is agreed as follows:

* + 1. WALGA and the Supplier entered into the Panel Agreement;
    2. under the Panel Agreement, the Principal is entitled to enter into individual contracts with the Supplier for the supply of Goods or Services (or both) up until expiry of the term of the Panel Agreement by executing a Procurement Form;
    3. by executing the Procurement Form, the Principal and the Supplier are entering into a contract for the supply of the Goods or Services (or both) described in this Procurement Form, formed pursuant to the terms of, but separate from, the Panel Agreement. The Member Contract comprises:
       1. the terms and conditions of this Procurement Form, including any schedules, annexures or attachments to this Procurement Form;
       2. any Special Conditions set out in Part D of this Procurement Form (if any); and
       3. the Goods and Services Contract Conditions specified in this Procurement Form, as agreed in the Panel Agreement and as incorporated by reference into this Procurement Form;
    4. if there is any inconsistency between the documents referred to in paragraph (c), the documents will prevail in the order of precedence set out in paragraph (c) of this Procurement Form;
    5. any term which is not defined in this Procurement Form has the meaning given to it in the Panel Agreement;
    6. the Supplier represents and warrants to the Principal that the execution of this Procurement Form has been properly authorised; and
    7. for clarity, additional purported “Member Contracts” may not be issued pursuant to this Member Contract.

Part B

Procurement Form Details

|  |  |
| --- | --- |
| **Item** | **Detail** |
| Panel Agreement Number | [**Insert Panel Agreement Number**] |
| Procurement Form number | [**Insert Procurement Form number**] |
| Goods and Services Contract Conditions | [**Insert detail of Goods and Services Contract Conditions, including version and date of those conditions, as set out below.**]  Member Contract Conditions (Goods and Services Supply) Version 2, July 2023 |
| Party Details | [**Insert details of Principal**] |
| [**Insert details of Supplier**] |
| Date of Member Request | [**Insert date that the Member Request is issued to the Supplier, in accordance with the terms of the Panel Agreement.**] |
| Price | [**Insert Price for the Goods or Services (or both) the subject of this Procurement Form**] |
| Payment claims | Is the Contractor permitted to submit monthly payment claims?  [**Yes**] / [**No**] [***Drafting Note: If “No” is selected, the Contractor will only be permitted to submit a payment claim on or after the later of the Goods Date of Delivery or Services Date of Completion.***  ***Note that if “No” is selected, the Contractor may nevertheless have a statutory right to, under the Security of Payment Act, make monthly payment claims.***] |
| Start Date | [**Insert the start date for the Supplier’s Obligations**] |
| Goods Date for Delivery | [**Insert**] |
| Goods Delivery Location | [**Insert**] |
| Services Date for Completion | [**Insert**] |
| End Date | [**Insert the anticipated end date of the engagement**] |
| Goods | [**Insert the Goods requested to be performed by the Supplier. Note that any description of the Goods can be elaborated on in the Specifications (Part C).]** |
| Services | [**Insert the Services requested to be performed by the Supplier. Note that any description of the Services can be elaborated on in the Specifications (Part C).]** |
| Approved Subcontractor | **[Insert the details of any subcontractors approved to carry out the Supplier’s Obligations. If none, insert “Not applicable”.]** |
| Maximum Liability Amount | [**Insert. If no amount is included insert the words “Not Applicable”, in which case the Maximum Liability Amount will be equal to the Price by default.**] |
| Additional insurances | [**Insert any additional insurances the Supplier is required to take out for the Supplier’s Obligations (if any). If none, insert “Not applicable”.]** |

Part C

Specifications

[**For each Procurement Form insert the Procurement Form scope. Describe the specific and detailed Goods or Services (or both) required in full under this Procurement Form, covering items such as:**

* **background / context;**
* **relevant standards;**
* **documentation / deliverables;**
* **relevant approvals to be obtained; and**
* **indicate key dates that will impact the Procurement Form. Request that the Supplier provide a schedule or program in its response.**]

Part D

Special Conditions

[***Drafting Note: Insert any Special Conditions, if any. If no Special Conditions are required insert “Not used” under this heading.***]

Signing page

The format and content of the signature block can be amended by Members to satisfy standard internal policies, procedures and formatting requirements.  There may be occasions for a corporate entity where a Member Contract should be executed in accordance with section 127(1) of the Corporations Act 2001 (Cth).  Guidance should be sought where appropriate.  Members may also have electronic signature functionality and protocols to overwrite the signature block format below.

Executed as an agreement

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Principal (insert Member Name)** | | |
|  | Signed by  **Insert Name of Principal**  By its representative |  | | |
| *sign here* ► |  |  |  | |
|  | Representative  By executing this Contract the signatory warrants that they are authorised to execute this Contract for (insert name of Principal) |  |  | |
| *Full name* |  |  |  | |
| *Title* |  |  |  | |

|  |  |  |
| --- | --- | --- |
|  |  | |
|  | **Contractor** | | | |
|  | Signed by  **[Insert Contractor Name]**  By its representative |  | | | |
| *sign here* ► |  |  | |  | |
|  | Representative  By executing this Contract the signatory warrants that they are authorised to execute this Contract for (insert name of Contractor) |  | |  | |
| *Full name* |  |  | |  | |
| *Title* |  |  | |  | |