Procurement Policy

Version 6.0 – December 2025

MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

Te Kāwanatanga o Aotearoa
New Zealand Government

1 MBIE guiding principles relevant to this policy.

1.1 The Procurement Policy aligns with the following MBIE guiding principles:

a. ensuring the best use of taxpayer funds
b. complying with legislation, regulations, and standards
c. ensuring we maintain the trust and confidence of the public.

2 Purpose

2.1 The purpose of the Procurement Policy is to:

a. maximise the value of appropriate goods, services or works that are purchased to meet the needs of the Ministry, and ensure open, fair and transparent commercial and procurement processes are followed that promote MBIE's goals of innovation and growing New Zealand for all
b. utilise strategies that are appropriate to the individual activity to achieve the best commercial outcomes for MBIE
c. ensure contracts and supplier relationships are managed to ensure they are delivering their intended objectives and outcomes.

3 Scope

3.1 This policy applies to all staff, secondees and contractors employed or engaged on any basis by MBIE (**our people**), whether they are casual, fixed term or permanent, whether full time or part time and whether they are in New Zealand or in any other country.

3.2 This policy applies to all procurement activity except for the following:

a. employing staff (excluding the engagement of contractors and consultants)
b. investments, loans and guarantees
c. gifts, donations and any form of unconditional grants
d. statutory appointments
e. Ministerial appointments
f. Core Crown legal matters
g. public prosecutions as defined in section 5 of the Criminal Procedure Act 2011
h. goods, services or refurbishment works that are purchased for commercial resale
i. disposals at the end of the useful life of an asset, including sale by tender.
j. the establishment of All-of-Government (AoG) and other collaborative contracts for common goods and services, managed by New Zealand Government Procurement (NZGP) as part of their functional leadership role for procurement across government
k. the acquisition of office accommodation on behalf of the Crown (whether owned or leased) by New Zealand Government Property as part of their functional leadership role for property across government.

3.3 Any exceptions to this policy can be found in the procurement information on Te Taura and Procurement procedures High risk and High Value.

4 Help

4.1 For any queries related to the policy, please email Commercial Services.

5 Definition of Terms

Term	Definition
AoG and MBIE-Wide Contracts and Panel Agreements	This includes All of Government (AoG) contracts, common capability contracts, including Department of Internal Affairs (DIA) Marketplace and specific MBIE panel agreements, master agreements and syndicated agreements.
Contract Manager	The person who is responsible for managing the operational delivery of the contract and who has been assigned this responsibility by the relevant Financial Delegation Holder.
Contract Management Plan	A Contract Management Plan is a formal document that sets out how a contract will be managed throughout the life of the contract to ensure successful delivery of agreed outcomes. It provides clarity on governance, roles, responsibilities, performance monitoring, asset management, due diligence etc.
Ci-Anywhere	The system for recording all contracts excluding contractor contracts. Contractor contracts are recorded in Pay@MBIE Contractor Portal, administered by Recruit@MBIE.
Contract Officer	The person who is responsible for the administration of the contract for the purposes of updating Ci-Anywhere Contracts Module.
Economic Benefits	The benefits to New Zealand which are generated through the procurement of goods, services or works. Through creating opportunities for local businesses and small to medium enterprises. Seeking opportunities for delivering social, environmental and cultural outcomes
Emergency Procurement	Procurement required as part of the response to a sudden unforeseen event, or where life, health, property, or equipment is at immediate risk, or to maintain MBIE's critical service delivery to the public.
Grant	Financial assistance in the form of money paid by the government to an eligible organisation with no expectation that the funds will be paid back. It can be either: a. a conditional grant, where the recipient undertakes specific obligations in return for the money; or b. an unconditional grant, where the recipient has no specific obligation to perform in return for the money.
Information, Communication and Telecommunication products (ICT) Product and Services	ICT Products and Services are the infrastructure, networks (both telecommunications and data), hardware, software and services that enable users to communicate and use, gather, store data, create, secure and control access and transmission of electronic information.
Market Approaches	Finding a supplier of goods, services or construction works, typically through requesting quotes or proposals from supplier(s) where the process does not rely on an existing AoG or MBIE-wide contract.

Term	Definition
Procurement	The process of acquiring, delivering and disposing of goods, services and construction works. Procurement activity includes planning, sourcing, managing, disposal and review activities. This includes services ranging from engaging contractors and consultants, purchase of ICT products or services, sourcing external legal advice, establishing and purchasing from corporate shared services contracts, conditional grants, engaging building design and construction suppliers and disposal of assets.
Procurement Plan	A plan to document the need for specific goods, services or works and the outcome the agency wants to achieve. It usually includes an approach, indicative costs, specification of requirements, indicative timeline, evaluation approach and an explanation of the Economic Benefits an agency will seek to achieve through the procurement, along with internal approvals.
Public Value	Achieving the best available result for the money spent. It includes using all our resources effectively, economically, and responsibly, and considers: a. the procurement's contribution to the outcomes and results we are trying to achieve b. delivery of any Economic Benefits we are trying to achieve c. the total costs and benefits of the procurement.
RFx	A generic term for Request for Quote, Registration of Interest, Request for Proposal or Request for Tender, which are ways to seek information or bids from potential suppliers.
Secondary Procurement Process	A process used to select suppliers from an AoG or MBIE-wide contract or panel agreement that has already been established through a Market Approach.
Whole of Life Cost (WoLC):	The value of a contract, or where relevant, a Statement of Work (SOW), including all costs associated to deliver the contract or SOW, over the contract or SOW's entire life. The Whole of Life Cost (WoLC) calculation would include purchase costs, one-off costs, disposal costs, ongoing support fees and should include the value of the full term of the contract or SOW including any renewal or extension periods.

6 Policy Statements

6.1 All procurement must apply and adhere to the Government Procurement Rules and the Government Procurement Principles no matter the contract value. The government procurement principles are:

a. plan and manage for great results;

b. be proportionate and right-size the procurement;

c. be fair to all suppliers;

d. get the right supplier;

e. get the best deal for everyone; and

f. play by the rules.

6.2 All procurement must ensure the delivery of public value as established in the Government Procurement Charter. The charter expects MBIE to:

a. deliver economic benefits to New Zealand.

b. look for new and innovative solutions.

c. engage with businesses with responsible business practices.

d. promote inclusive economic development within New Zealand.

e. manage risk appropriately.

f. encourage collaboration for collective impact.

6.3 All procurements must ensure Economic Benefits are considered and incorporated where appropriate.

6.4 All procurement activities with a WoLC of more than $5,000 excluding GST must have an executed contract that has been approved in accordance with Delegations Policy.

6.5 All executed contracts and procurement plans and contract management plans (where required) must be recorded in Ci-Anywhere (or Pay@MBIE regarding contractors and agency placement fees) before the supplier starts to deliver goods, services or construction works. This includes all secondary procurement processes including contractors and consultants.

6.6 All contracts must be reviewed at minimum at the expiry of the contract and conduct the 'final overall contract review' function in the Ci-anywhere contracts module (CMS) to complete the contract.

6.7 A Declaration of Interest must be completed in accordance with roles and responsibilities by anyone involved in a procurement activity before developing tender documents, joining or chairing an evaluation panel.

6.8 New suppliers must be verified and set up in the Financial Management Information System (FMIS) before any invoices are received and settled, following the process outlined in the Supplier and Payee Onboarding Procedures.

6.9 All contract variations must follow the appropriate processes as outlined in the Procurement Procedures.

6.10 The termination of contracts must be approved in accordance with the Financial Delegations procedures.

6.11 All Contract Managers must handle the operational delivery of each contract in accordance with the Supplier Code of Conduct.

6.12 All Contract Managers must ensure any contracts that are due to expire have a strategy in place for any future or ongoing requirements for the goods, services or construction works.

7 Key Accountabilities and Responsibilities

Role	Responsibility
Governance and oversight	
Secretary for Business, Innovation & Employment and Chief Executive (The Secretary)	• Overall responsibility for ensuring MBIE's procurement practices are open, fair, and transparent and adhere to the Government Procurement Rules
Assurance, Risk and Accountability Committee (ARA)	• Maintains overall oversight of the status of the Procurement Policy • Approves new and major amendments to this policy
Business group management: Identify and manage risks in day-to-day operations (1st Line)	
Deputy Secretaries (Dep Secs)	• Provide leadership to embed this policy within their business group • Identify and communicate procurement risks and obligations within their business group • Provide assurance to The Secretary that their business group is compliant within this policy and that any matters of noncompliance have been dealt with appropriately
Financial Delegation Holders	• Approve procurement plans, exemptions and opt-outs for market approaches and AoG and MBIE-wide contracts or panel agreements • Approve contracts, variations and renewals within their financial delegation
General Managers (Tier 3)	• Responsible for embedding this policy into operational activities within their branch • Ensure new and existing staff are made aware of and comply with this policy • Provide assurance to their Dep Sec that their branch is compliant with this policy and that any matters of non-compliance have been dealt with
Budget Holders	• Ensure they assign a Contract Manager and a Contract Officer to each of their contracts and that they understand and undertake their contract management responsibilities Monitor overall budget and spending of all their contracts
Contract Managers	• Approve contracts once required documentation is in Ci-Anywhere (or Pay@MBIE for contractors) • Monitor contract delivery according to supplier tier

Role	Responsibility
	• Identify and escalate contractual risks; recommend improvements • Maintain supplier relationships: review performance, resolve issues, and keep records • Manage contract variations and renewals, ensuring strategies for expiring contracts with ongoing obligations
Contract Officers	• Provide administrative support to Contract Managers including the loading of the procurement plan and contract information and registering, loading and maintaining updates in Ci-Anywhere Contracts Module
Our People	• Comply with this policy and procedures as applicable to their role • Obtain support and advice early in the process from the Commercial Services Team and appropriate subject matter experts relevant to the activity, its value and associated risks • Consult with the Digital Commercial Team when sourcing ICT products and services regardless of value • Consult with the Legal Team in relation to any contract that has a WoLC above $100,000 or that is otherwise high risk • Maintain accurate records and ensure the procurement plan and contract are loaded into the Ci-Anywhere Contracts Module • Ensure third party privacy risk and sharing of personal information is considered and managed in line with the Information Sharing Standards
Specialist functions: Set MBIE-wide expectations, policies and procedures (2nd Line)	
General Manager Corporate Shared Services (Policy Owner)	• Ensures this policy is working effectively through regular monitoring and reporting on compliance • Provide advice and support to business groups relating to this policy, including any breach management / mitigation activities as required • Ensures this policy is reviewed and updated by the agreed review date
Commercial Services Team	• Lead procurement sourcing strategy and process for all high-risk procurement activity regardless of value, Market Approaches over $100,000 and Secondary Procurement Processes over $400,000

Role	Responsibility
	• Advise and endorse proposed procurement plans above the $100,000 threshold • Advise and approve Exemptions and Opt-Outs, including the use of AoG and MBIE-Wide Contracts and Panel Agreements • Provide professional, qualified procurement expertise, commercial advice, and services • Maintain and update associated procedures and templates so that they remain fit for purpose • Provide training to staff in relation to all procurement activity • Monitor MBIE's procurement activity and practices and make recommendations for improvement
Legal, Ethics and Privacy (LEAP)	• Provide advice on any procurement plan and contract that has a WoLC above $100,000 or that is otherwise high risk
Digital Commercial Team	• Provide advice and approval for any ICT procurement activities regardless of value.

8 Procedures

a. Procurement procedures High risk and High Value
b. Procurement process

9 Related MBIE Policies and other documents

a. Declarations of interest Policy
b. Delegations Policy
c. Information and Records Management Policy
d. Legal Services Policy
e. Payments Policy
f. Purchase Card Policy

10 Relevant legislation, regulations or standards

a. Commerce Act 1986
b. Government Procurement Rules
c. Health and Safety at Work Act 2015
d. Information Sharing Standards
e. Official Information Act 1982
f. Privacy Act 2020
g. Public Finance Act 1989

11 Measures of Success and Compliance Management

11.1 The General Manager, Corporate Shared Services will assess the effectiveness of this policy based on the following measures of success:

a. Procurement Plans are documented and recorded.

b. Contract management plans and reporting is in place for all contracts and are right sized based on the contract value, complexity, risk and duration.

c. Contract renewals or variations to contracts are actively managed and updated in Ci-Anywhere Contracts Module or Pay@MBIE for contractors.

d. MBIE's spend without a contract is limited to low value one off purchases of less than $5,000 excluding GST.

e. The Government Procurement Charter, Principles of Government Procurement, Economic Benefits have been considered and included within appropriate procurement plans.

f. Suppliers are delivering the indented objectives of contracts with positive and effective relationships in place appropriate to value and risk of the goods and services provided.

11.2 The General Manager, Corporate Shared Services will monitor compliance with this policy as follows:

a. Quarterly review a sample of procurement activity to determine that procurement plans and other relevant procurement records have been documented in MBIE's document management system and Ci-Anywhere Contracts Module.

b. Quarterly monitoring and reporting on the number of contracts that are due to expire within the next six months, ensuring at least 95% of those due to expire have a management plan in place.

11.3 Compliance information regarding the performance of this policy will be provided to the relevant business group and Enterprise Compliance on a quarterly basis.

12 Non-Compliance

12.1 Failure to comply with this policy may be considered a breach of the Code of Conduct.

12.2 Any action taken as a result of a breach of any of the obligations set out in this policy will be conducted in good faith, a fair process will be followed and the person involved will have a full opportunity to respond to the concerns or allegations and have access to appropriate support, advice or representation.