



Session 7 – Prickly Issues In Procurement

Presented by **Scott Alden**, Partner and **Brian Ambler**, Partner

11 October 2022

Acknowledgement of Country

In the spirit of reconciliation, HWL Ebsworth Lawyers acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community.

We pay our respect to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

The 2022 Procurement Seminar Series

- Part 1 – Probity in Procurement (19 July 2022)
- Part 2 – Current Issues and Updates in Procurement – (2 August 2022)
- Part 3 – Legal Issues and Risks in Procurement (17 August 2022)
- Part 4 – Open Q&A (30 August 2022)
- Part 5 – Tender Assessment with a focus on Sustainable Procurement (13 September 2022)
- Part 6 – Managing Procurement (28 September 2022)
- **Part 7 – Prickly Issues in Procurement (11 October 2022)**
- Part 8 – Open Q&A (25 October 2022)

If you would like to view a recording of a previous presentation, or if you have any questions about our Australian Government Procurement Serie, please contact Katarina Szivek, Business Development Specialist on kszivek@hwle.com.au

Case Studies

- The unopened tender – breach of implied term
- The late tender and the oversharer – breach of process contract
- The undisclosed job offer – conflict of interest
- The value of a platypus' life? – sustainable procurement
- Carpooling at site visits and bias perceptions – conflict of interest

Case Studies

- I haven't read the tenders... What now?
- This looks too cheap – is it too good to be true?
- The tenderer I wanted was late – what can I do?
- The Contract is about to expire – can I extend?

Case Studies

- The director of both – conflict of interest
- The involved consultant – bias, level playing field
- The wrong email addressee – care on communications
- The unwanted gift – perceptions and formal process

Case Studies

- The big day out – perceived conflict of interest
- The wrong criteria – pressure on evaluation team
- We didn't really mean mandatory – following RFT statements



| Any Questions?

Contacts



Scott Alden, Partner

Phone: +61 2 9334 8418

Email: salden@hwle.com.au

Profile:

<https://hwlebsworth.com.au/people/scott-alden/>



Brian Ambler, Partner

Phone: +61 2 9334 8984

Email: bambler@hwle.com.au

Profile:

<https://hwlebsworth.com.au/people/brian-ambler/>

This seminar and accompanying documentation is not intended to be legal advice and should not be relied upon as such.

The copyright of this material is and will remain the property of HWL Ebsworth Lawyers.



HW
LEBSWORTH
LAWYERS

Adelaide | Brisbane | Canberra | Darwin | Hobart | Melbourne | Norwest | Perth | Sydney