

MINISTERIAL DIRECTIONS - EFFECTIVE 1 JULY 2018

From 1 July 2018, Victorian government agencies are required to comply with the Directions issued by the Minister responsible for Part 4 of the *Project Development and Construction Management Act 1994 (Vic)*. In addition, Victorian government agencies are required to comply with Instructions issued by the Secretary of the Department supporting the Minister responsible for Part 4 of the *Project Development and Construction Management Act 1994 (Vic)*. In addition, certain government agencies are required to comply with the Victorian Government Purchasing Board's supply policies.

Direction 7.1.2(a) of the Ministerial Directions requires:

When issuing a tender (including a Limited Tender) for Works or Construction Services, an Agency must include an unamended Victorian Public Construction Contract in the Tender Documentation, except ...

(emphasis added)

Note: An agency is permitted under Direction 7.1.2(a)(ii) to issue a tender that includes an amended Victorian Public Construction Contract or an alternative form of contract if Victorian Public Construction Contracts are inappropriate for the type of works being procured. In that circumstance, where an agency relies on this exception, the Accountable Officer must provide a copy of the contract to the Department and details of the applicable circumstances within 30 days after issuing the tender.

The Victorian Public Construction Contracts are those contracts listed as being Victorian Public Construction Contracts on the Department's website: <https://www.dtf.vic.gov.au/practitioners-toolkit/practitioners-toolkit-standard-form-contracts>