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1. Principles

1.1 Background

Goldfields Library Corporation

Recognises that:

Developing a procurement strategy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Library, will enhance the achievement of the Library objective of sustainable and responsible finance and governance.

The elements of best practice applicable to local government procurement incorporate:

- broad principles covering ethics, value for money, responsibilities and accountabilities;
- guidelines giving effect to those principles;
- a system of delegations (i.e. the authorisation of officers to approve a range of functions in the Procurement process);
- procurement processes, with appropriate procedures covering minor simple procurement to high value complex procurement; and
- a professional approach to all major procurements.

Requires the Library's contracting and purchasing activities:

- support the Library's corporate strategies, aims and objectives;
- span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
- achieve value for money and quality in the acquisition of goods, services and works by the Library;
- can demonstrate that public money has been well spent;
- are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
- seek continual improvement.

1.1 Scope

This Procurement Policy is made under Section 186A of the *Local Government Act 1989*.

This section of the Act requires the Library to prepare, approve and comply with a procurement policy encompassing the principles, processes and procedures applied to all Goldfields Library Corporation Procurement Policy purchases of goods, services and works by the Library.

This policy applies to all contracting and procurement activities of the Library and is binding upon Library staff and temporary employees, contractors and consultants while engaged by the Library.

1.2 Purpose

The purpose of this Policy is to:

- provide policy and guidance to Library staff to allow consistency and control over procurement activities;
- demonstrate accountability to stakeholders;
- provide guidance on ethical behaviour in public sector purchasing;
- demonstrate the application of elements of best practice in purchasing; and
- increase the probability of obtaining the right outcome when purchasing goods and services.

1.3 Treatment of GST

All monetary values stated in this policy include GST except where specifically stated otherwise.

1.4 Definitions and Abbreviations

Term	Definition
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	e.g. prices, discounts, rebates, profits, methodologies and process information, etc.
Contract Management	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Library Staff	Includes full time and part-time Library staff, and temporary employees, contractors and consultants while engaged by the Library.
Probity	The dictionary definition of probity refers to uprightness, honesty, proper and ethical conduct and propriety in dealings. Within Government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Library's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Standing Offer Arrangements (SOA)	A contract that sets out rates for goods and services which are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Tender Process	The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Value for Money	Value for money in procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none">• contribution to the advancement of the Library's priorities;• non-cost factors such as fitness for purpose, quality, service and support; and• cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

2. Effective Legislative and Policy Compliance and Control

2.1 Ethics and Probity

2.1.1 Requirement

The Library's procurement activities shall be performed with unquestionable integrity and in a manner able to withstand the closest possible scrutiny.

2.1.2 Conduct of Library Staff

2.1.2.1 General

Library staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and *will*:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

Library staff responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.

2.1.2.2 Members of Professional Bodies

Library staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

2.1.4 Conflict of Interest

Library staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their library duties.

Library staff shall not participate in any action or matter associated with the arrangement of a contract (ie, evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a significant interest, or holds a position of influence or power in a business undertaking tendering for the work.

The onus is on the member of Library staff involved being alert to and promptly declaring an actual or potential conflict of interest to the Library.

Where future conflicts or relevant private interests arise, Library staff must declare any conflict to the CEO who will decide whether the officer should continue to be involved in the specific Procurement exercise.

2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. Impartiality must be maintained in selecting contractors and suppliers so that no action is taken that could evoke criticism of the Library.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to, prices, discounts, rebates, profit, manufacturing and product information.

2.1.6 Accountability and Transparency

Accountability in procurement means being able to explain and evidence what has happened. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with the Library's procurement policies and procedures as set out in this policy and related Library policies and procedures.

Additionally:

- all Library staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by the Library and provide feedback on them; and
- all procurement activities are to leave an audit trail for monitoring and reporting purposes.

2.1.7 Gifts and Hospitality

No member of library staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public who is involved, either directly or indirectly, with any matter that is connected with the duties of the officer, or in which the Library is interested.

Library staff must exercise the utmost discretion in accepting hospitality from contractors or their representatives, or from organisations, firms or individuals with whom they have official dealings. Library staff should also avoid the ambiguous situation created by visiting the premises of a contractor, organisation, firm or individual uninvited and/or not on official business.

Offers of bribes, commissions or other irregular approaches from organisations or individuals (no matter how flimsy the evidence available), must be promptly brought to the attention of the CEO.

2.1.8 Disclosure of Information

Information received by the Library that is Commercial in Confidence must not be disclosed.

Library staff are to protect, by refusing to release or discuss the following:

- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Library staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised.

2.2 Governance

2.2.1 Structure

The Library shall:

- Establish a procurement management responsibility structure and delegations to ensure accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by the Library;
- Ensure that the Library's procurement structure:
 - Is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by the Library;
 - Ensures that prospective contractors and suppliers are afforded an equal opportunity to tender/quote;
 - Encourages competition; and
 - Ensures that policies that impinge on the purchasing policies and practices are communicated and implemented.

2.2.2 Standards

The Library's procurement activities shall be carried out to the professional standards required by best practice and in compliance with the:

- Act,
- The Library's policies,
- The Library's Code of Conduct, and
- Other relevant legislative requirements such as but not limited to the Trade Practices Act, Goods Act and the Environmental Protection Act.

2.2.3 Methods

The Library's standard methods for purchasing goods, services and works shall be by:

- Purchasing card,
- Purchase order following a quotation process,
- Under contract following a tender process, or
- Where the library is satisfied that value for money requirements have been satisfied, under purchasing schemes including collaborative purchasing arrangements with other libraries and commercial schemes such as provided by MAV;

unless other arrangements, authorised by the Library CEO, are required for abnormal circumstances such as emergencies.

The Library may, at its discretion and based on the complexity and cost of the project, conduct one stage or multi-stage tenders.

Typically a multi-stage tender process will commence with a registration of interest stage followed by a tender process involving the organisations selected as a consequence of the registration of interest stage.

Registrations of Interest (ROI) may be appropriate where:

- The requirement is complex, difficult to define, unknown or unclear.
- The requirement is capable of several technical solutions.
- The library wishes to consider ahead of formal tender processes such issues as whether those tendering possess the necessary technical, managerial and financial resources to successfully complete the project.
- Tendering costs are likely to be high and library seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense.
- It is necessary to pre-qualify suppliers and goods to meet defined standards, and the requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

Additionally, for highly complex projects the Library may run sequential tenders, the first to solicit solutions, the second to compete to provide the solution selected by Library. Such sequential tenders may or may not be preceded by the registration of interest phase as required by the Library based on the actual needs of the project.

2.2.4 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle: the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Library staff must not authorise the expenditure of funds in excess of their financial delegations.

Library funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this policy.

2.3 Procurement Thresholds and Competition

2.3.1 Requirement

The Library will from time to time decide and publish in this policy clear guidelines for minimum spend competition thresholds. These will be decided by the Library based on the size and complexity of the proposed procurement activities.

2.3.2 Minimum Spend Competition Thresholds

2.3.2.1 Tenders

Purchase of all goods, services and works for which the estimated expenditure exceeds \$150,000 must be undertaken by public tender.

However, should the CEO consider that the nature of the requirement and the characteristics of the market are such that the public tender process would lead to a better result for the Library, public tenders may be called for purchase of goods, services and works for which the estimated expenditure is less than \$150,000.

2.3.2.2 Quotations

Purchase of goods, services and works having a total valuation of less than \$150,000 may be undertaken using the procurement by quotation method as described below:

- *Items with a value less than \$5,000:* A minimum of one telephone or email quotation must be obtained and the details recorded before placing an order (similar details must be recorded where more than one supplier has quoted).
- *Items with a value \$5,001 to \$150,000:* A minimum of three telephone or email quotations must be sought. The order must be placed with the supplier offering the lowest price for the most acceptable goods or services. Details of the suppliers contacted and their quotations must be recorded on at least a simple spreadsheet. Quotation must be sighted and countersigned by CEO prior to order being placed. The original supplier's quotations must be maintained on file.
- *Advertising.* Requests for quotations may be advertised at the CEO's discretion. This may occur when a field of potential tenderers hasn't been established, or an innovative approach is required, or the project has broad appeal that may attract keen prices, etc.

- *Insufficient quotations.* The situation may arise where insufficient quotations are received to satisfy the above requirements.
This may occasionally occur where there are few local suppliers for the goods, services or works being sought or the work is highly specialised. In this case, the details of the contacted suppliers must be recorded on the spreadsheet or recommendation and an appropriate comment recorded.

2.3.3 Cumulative Expenditure

For the purposes of section 186 of the Act, any cumulative expenditure with a single supplier which, over two financial years (that is, two accounting periods) exceeds or is expected to exceed:-

- \$150,000 (inclusive of GST) on the purchase of goods and services; and/or
- \$200,000 (inclusive of GST) on the carrying out of works;

shall be exposed to competition, which means, it shall be subject to a public tendering process.

2.4 Delegation of Authority

2.4.1 Requirement

Delegations define the limitations within which library staff are permitted to work. Delegation of procurement authority allows specified library staff to approve certain purchases, quotation, tender and contractual processes without prior referral to the CEO. This enables the Library to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to the Library and public that purchasing activities are dealt with at the appropriate level.

As such, the Library has delegated responsibilities as detailed below relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for contract management activities.

2.4.2 Delegations

The following delegations will apply for staff

Chief Executive Officer	\$ 100,000
Manager, Collections	\$ 15,000
Manager, Community Partnerships & Engagement	\$ 10,000
Manager, People and Performance	\$ 10,000
Manager, Information Technology	\$ 5,000

2.4.2.1 Corporation staff

The following procurement delegations will apply to Managers within their delegated limits:

- Acceptance of quotes
- Appointment to register of pre-qualified suppliers
- Credit Card Purchases (refer to Credit Card policy)

2.4.2.2 Delegations Reserved for the CEO

The following processes and commitments must be approved by the CEO:

- Acceptance of tenders
- Acceptance of quotes
- Equipment rental agreements (within authorised budgets)
- Contract term extensions (within authorised budgets)
- Contract amendment

- Contract term extensions.
- Procedural exceptions

2.4.2.3 Delegations Reserved for the Board

Commitments and processes which exceed the CEO's delegation and must be approved by the Board are:

- Signing of contract documents.
- Tender recommendations and Contract approval for all expenditure at or over \$100,000.
- Contract term extensions (requiring additional budget).
- Variations and contract extensions (requiring additional budget).

2.5 Internal Controls

The Library will install and maintain a framework of internal controls over procurement processes that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement

2.6 Commercial Information

Procurement activities will be carried out in a way that supports Library staff in meeting their obligations to ensure information of a commercially sensitive or confidential nature is obtained, stored, processed, published (where applicable) in an appropriate manner in accordance with the relevant Library guidelines.

2.7 Risk Management

2.7.1 General

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance the Library's capability to prevent, withstand and recover from interruption to the supply of goods services and works.

2.7.2 Supply by Contract

The provision of goods, services and works by contract potentially exposes the Library to risk.

The Library will minimise its risk exposure by measures such as:

- standardising contracts to include current, relevant clauses;
- requiring security deposits where appropriate;
- referring specifications to relevant experts;
- requiring contractual agreement before allowing the commencement of work;
- use of or reference to relevant Australian Standards (or equivalent); and
- effectively managing the contract including monitoring and enforcing performance.

2.8 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval must be sought from the CEO. A request for such an approval should be supported with procurement and legal advice as relevant.

To protect the best interests of the Library, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose the Library to risk and thus must be authorised by the appropriate member of library staff listed in the delegations section above.

2.9 Endorsement

Library staff must not endorse any products or services. Individual requests received for endorsement must be referred to the CEO.

2.10 Dispute Resolution

All library contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.

2.11 Contract Management

The purpose of contract management is to ensure that the Library, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- Establishing a system reinforcing the performance of both parties' responsibilities and obligations under the contract; and
- Providing a means for the early recognition of issues and performance problems and the identification of solutions.

All library contracts are to include contract management requirements. Furthermore, contracts are to be proactively managed by the member of library staff responsible for the delivery of the contracted goods, services or works to ensure the Library receives value for money.

3. Demonstrate Sustained Value

3.1 Integration with Library Strategy

The Library procurement strategy shall support its corporate strategy, aims and objectives, including:

- all relevant legislation and policies are complied with, to Best Practice standards.

3.2 Achieving Value for Money

3.2.1 Requirement

The Library's procurement activities will be carried out on the basis of obtaining value for money. This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability and delivery considerations.

3.2.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout;
- effective use of competition;
- using aggregated contracts and SOA where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- Library staff responsible for providing procurement services or assistance within the Library providing competent advice in terms of available products and agreements; and
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

3.2.3 Role of Specifications

Specifications used in quotations, tenders and contracts are to support and contribute to the Library's value for money objectives through being written in a manner that:

- Ensures impartiality and objectivity;
- Encourages the use of standard products;
- Encourages sustainability;
- Eliminates unnecessarily stringent requirements; and
- Wherever possible specifies technical standards and requirements that are within the capabilities of local suppliers.

3.3 Performance Measure and Continuous Improvement

Procurement will establish and put in place appropriate performance measures. Reporting systems will be used to monitor performance against metrics and compliance with procurement policies, procedures and controls.

Procurement will use the performance measurements developed to:

- Highlight trend and exceptions where necessary to enhance performance.
- Improve the internal efficiency of the procurement process and where relevant the performance of suppliers
- Facilitate relevant programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

3.4 Sustainability

3.4.1 General

The Library is committed to achieving sustainability and ensuring it monitors and reports on activities and programs that have an impact on or contribute to the environment including but not limited to:

- Recycling;
- energy management;
- water conservation and;
- procurement.

3.4.2 Sustainable Procurement

The Library is committed to adopting a green procurement approach by supporting the principles of sustainable procurement within the context of purchasing on a value for money basis.

Value for money purchasing decisions made by the Library are made on the basis of cost and non-cost factors including contribution to the Library's sustainability objectives.

The Library will therefore:

- Reduce, Reuse, and Recycle.
- The Library is committed to reduce resources, consumption and minimise waste during the procurement life cycle including:
 - The Library shall encourage and prefer Eco-friendly products which are more power efficient.
 - The Library shall prefer to purchase from a source which is less polluting or uses clean technology.
 - The Library's procurement projects should automatically consider the provision of re-use and recycling as part of the project planning process, including the consideration of whole-life costs and disposal considerations.
- Buy Recycled:

The Library is committed to buy recycled/part recycled products to optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to the landfill.

3.5 Diversity

Promoting equality through procurement can improve competition, value for money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

4. Apply a Consistent and Standard Approach

The Library will provide effective and efficient commercial arrangements for the requisition of goods and services.

4.1 Standard Processes

The Library will provide effective commercial arrangements covering standard products and standard service provisions across the Library to enable employees to source requirements in an efficient manner.

This will be achieved via harmonisation of the following areas:

- Pricing where relevant.
- Processes, procedures and techniques.
- Reporting requirements.
- Application of standard contract terms and conditions.

4.2 Management Information

The Library will capture procurement management information in a variety of areas, including:

- Volume of spend.
- Number of transactions per supplier.
- Supplier performance.
- User satisfaction.

The Library will also use external sources of management information to assist with the procurement decision making process including:

- Benchmarking data
- Information from bodies such as the MAV.
- Supplier reports.

5. Build and Maintain Supply Relationships

The Library recognises that in order to achieve sustainable value, appropriate relationships must be developed and maintained with suppliers and that it seeks to operate with ‘informed choice’ on what supply strategy it adopts – whether to ‘do it yourself’, participate in regional or sector aggregated projects or to access State Government panel agreements. The Library will consider which supply arrangement delivers best value outcomes for the Library in terms of time, cost, value and outcome.

5.1 Developing and Managing Suppliers

The Library recognises the importance of effective and open working relationships with its suppliers, and is committed to the following:

- Managing existing suppliers, via the appropriate development of programs and performance measurements to ensure the benefits are delivered.
- Maintaining approved supplier lists.
- Developing new suppliers.

5.2 Relationship Management

The Library is committed to developing constructive long-term relationships with suppliers. It is important that the Library identifies its key suppliers so that its efforts are focused to best effect.

Such areas may include:

- Size of spend across the Library.
- Criticality of goods / services supplier, to the delivery of the authority's services.
- Availability of substitutes.
- Market share and strategic share of suppliers.

5.3 Communication

External communication is very important in ensuring a healthy interest from potential suppliers and partners to the Library. The external website will be updated and provide:

- Guidelines for doing business with Library.
- Standard documentation used in the procurement process

6. Continual Improvement

The Library is committed to continuous improvement and will review the procurement policy on an annual basis, to ensure that it continues to meet its wider strategic objectives.

Attachment 1: Related Goldfields Library Corporation Policies

- Goldfields Library Corporation Cash Management Policy and Procedure
- Goldfields Library Corporation Credit card use Policy and Procedure
- Goldfields Library Corporation Fraud and Corruption Prevention Checklist
- Goldfields Library Corporation Fraud Risk Management Policy and Procedure
- Local Government Act 1989 (Vic)

Schedule 1 - Corporate Credit Cards

The Library Corporation has two corporate credit cards. The cards are assigned to the Collection Manager and the Administration Officer.

The purpose of the credit cards is to reduce costs, paperwork and time associated with purchasing goods and services of relatively low value. Some items (particularly IT related software) cannot be readily purchased other than by credit card purchase online.

The maximum transaction limit on the cards is \$5,000.

The cards cannot be used for:

- The withdrawal of cash through any facility, whether it be a Bank, ATM or EFTPOS facility
- The payment of monthly accounts covered by normal trading terms between the supplier and the Library Corporation

Assigned cards may be withdrawn where continuing use is not warranted.

Responsibilities:

The Chief Executive Officer with the support of the Administration Officer is responsible for the approval and allocation of credit cards to staff and for the administration of the use of cards and the associated processes.

These include:

- A register of cards issued
- Distribution of statements to cardholders each month
- Check authorisations, process to ledger and payments
- Ensure any disputed transactions are resolved with the issuing bank
- Ensure safe custody of cards not required during annual leave
- Ensure that cards no longer required are destroyed and the issuing bank notified
- Ensure that stolen or mislaid cards are followed up immediately with the issuing bank

The day to day administration of card accounts and payments may be delegated by the Chief Executive Officer to the Administration Officer as appropriate.

The Chief Executive Officer is responsible for checking the monthly statements associated with the assigned credit card.

Changes to credit limits may only be authorised by the Chief Executive Officer.

Schedule 2 - Goldfields Library Corporation Exemption to complying with minimum number of quotes.

Quotation Number: _____

Description of Procurement: _____

Staff Member: _____

Contact Number: _____

Staff Member Signature: _____

Reason why exemption sought to obtaining minimum number of quotes (tick as appropriate)

- Urgent matter of health, security or safety.
- Specialist knowledge and skill.
- Sole source of intellectual property.
- Other:

Brief description of exemption case:

APPROVED: Yes / No (Please circle applicable approval)

Officer with delegated Authority to make purchase:

CEO Signature:

Date:

Please attach signed form with purchase order and invoice or on the contract file.