

The logo for the Office of Procurement Regulation (OPR) features the letters 'OPR' in a large, blue, serif font. Below the letters, the full name 'THE OFFICE OF PROCUREMENT REGULATION' is written in a smaller, blue, sans-serif font. At the bottom of the logo, a blue horizontal bar contains the words 'ACCOUNTABILITY | INTEGRITY | TRANSPARENCY | VALUE FOR MONEY' in white, uppercase, sans-serif font, separated by vertical bars.

OPR

THE OFFICE OF
PROCUREMENT REGULATION

ACCOUNTABILITY | INTEGRITY | TRANSPARENCY | VALUE FOR MONEY

Accountability

Integrity

Transparency

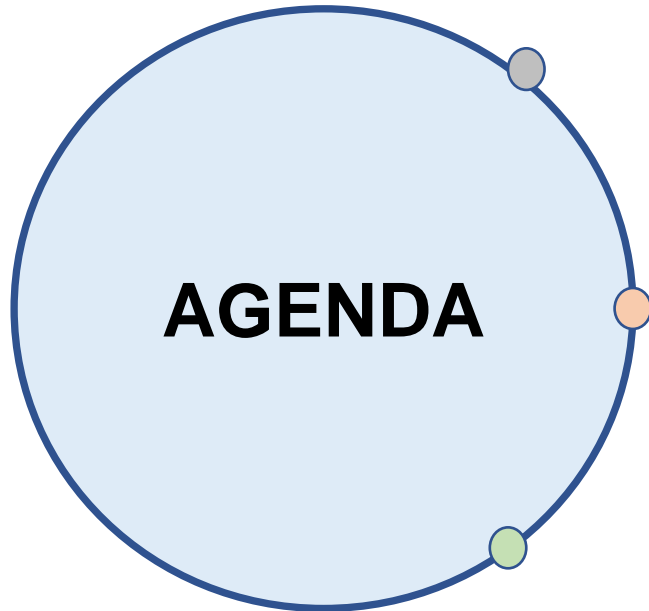
Value for Money

SENSITISATION SESSION: TOBAGO HOUSE OF ASSEMBLY

**The Procurement and Disposal Advisory
Committee**

Presenter: Ms. Melissa Ramkumarsingh

Date: 16th November, 2022



I. The Establishment & Role of the Procurement & Disposal Advisory Committee (PDAC)

II. Understanding the Role of PDAC

III. The Public Procurement & Disposal of Public Property Regulations

THE ESTABLISHMENT OF THE PROCUREMENT & DISPOSAL ADVISORY COMMITTEE

The Public Procurement and Disposal of Public
Property (Procurement Methods and Procedures)
Regulations, 2021



ESTABLISHMENT OF THE PROCUREMENT AND DISPOSAL ADVISORY COMMITTEE (“PDAC”)

Part IX of the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021 states that:

21. (1) A procuring entity shall establish a Procurement and Disposal Advisory Committee (hereinafter referred to as “the Committee”).

(2) The Committee shall comprise –

(a) Corporate Secretary/Head of Legal;

(b) Head of Finance;

(c) Subject Matter Expert;

(d) Such other members as may be necessary

(3) A member of the Committee may be sourced from another public body

(4) A Senior Officer shall be appointed as the Secretary to attend all meetings of the Committee but shall not be a member of the Committee.

THE ROLE OF PDAC

- (5)** The Committee shall review reports, recommendations for contract award and procurement proceedings and property disposal files to determine –
- (a) adherence to the Act and the Regulations;
 - (b) adherence to the Handbook and Guidelines;
 - (c) adherence to the approved procurement/disposal strategy; and
 - (d) achievement of the objects of the Act.

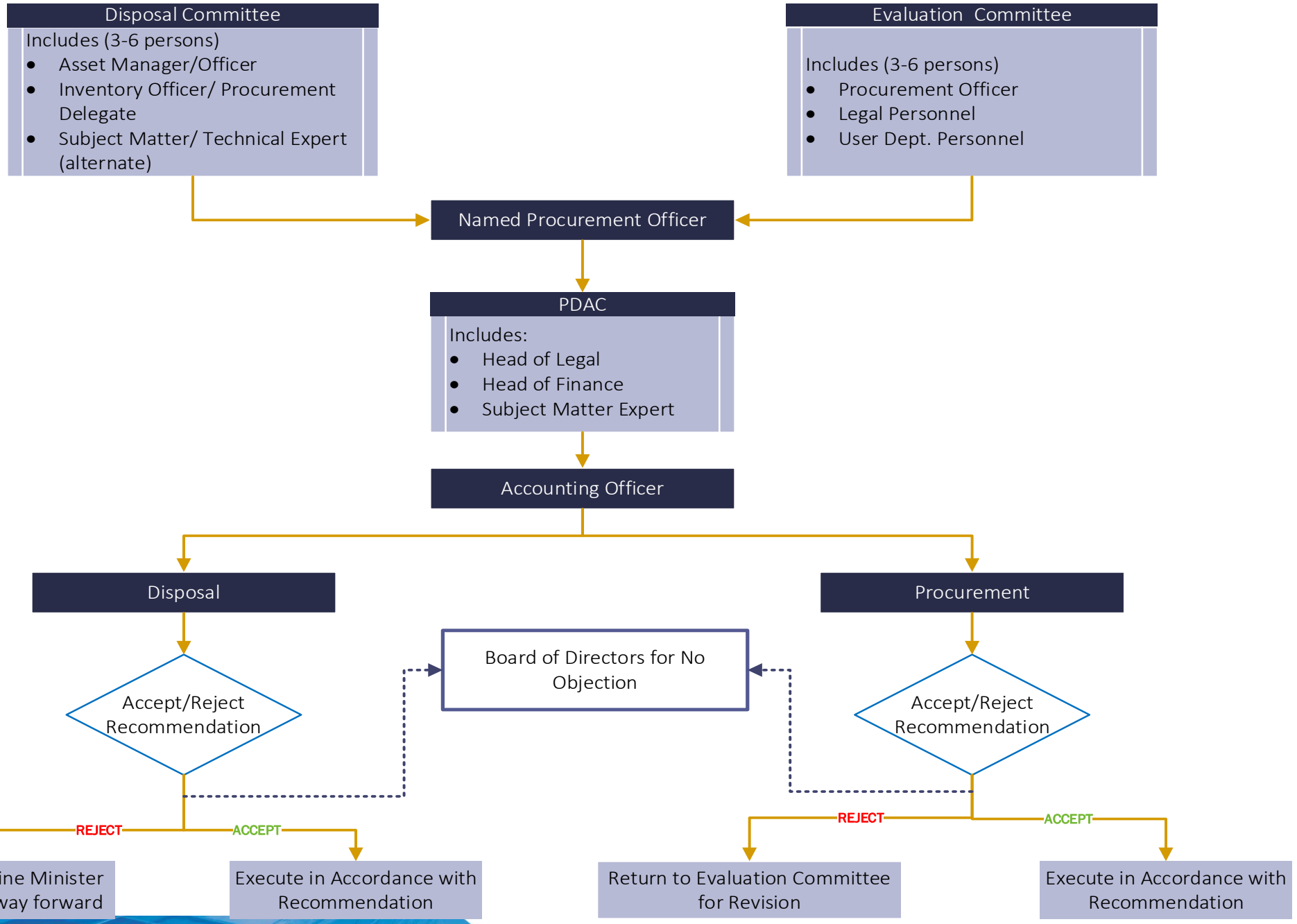
THE ROLE OF PDAC (Cont'd)

- (6) Where Committee is of the opinion that there is not adherence or achievement as set out in sub-regulations (5), it shall recommend the appropriate action to the **procurement officer** with a written explanation providing reason for its decision.
- (7) The Committee shall cause the written explanation to be forwarded to the **Accounting Officer** for noting.
- (8) Where there is an agreement, the Committee shall give the Accounting Officer a written recommendation which must be accompanied by the procurement proceedings file and property disposal file.

THE DUTY OF MEMBERS OF PDAC TO DISCLOSE INTEREST

(9) A member of the Committee shall disclose his interest and not take part in the proceedings of the Committee where he –

- (a)** is a member, director or shareholder of a company or other body corporate;
- (b)** is a proprietor of or partner in a firm, or partnership;
- (c)** is employed by or is otherwise a party to a contract for services;
- (d)** has a financial interest in or relationship with someone;
- (e)** is a relative of an individual, being reviewed by the Committee.



UNDERSTANDING THE ROLE OF PDAC



PDAC'S ROLE: REVIEW REPORTS, RECOMMENDATIONS FOR CONTRACT AWARD

- Typical contents of an evaluation report include:
 - Introduction
 - Background
 - Evaluation of Bids
 - Recommendation for Award of Contract

- The evaluation report should be signed by the members of the evaluation committee and approved by the designated approver.



POINTS TO NOTE WHEN REVIEWING EVALUATION REPORTS



The Contract Award decision must be objective and be based on disclosed criteria



The decision making process must be fair, transparent and auditable



The public body should demonstrate best value in the tender process



CONTENT OF RECORD (REGULATION 4(A-O))

Where appropriate, a record shall contain the original and a copy of the information, document and communication related to the procurement proceeding, including but not limited to the following information that is not contained in the proposed procurement plan:

(a) the document indicating approval to execute the various stages of the procurement proceeding

(b) the complete bidding document

(c) a description of the object of the procurement

(d) a list of each participating supplier or contractor and his qualification

(e) the reason for limiting participation, where participation is limited

CONTENT OF RECORD (REGULATION 4(A-O)) (CONT'D)

(f) any request for clarification and the relevant response

(g) the reason for the cancellation of bids, where the bids are cancelled

(h) a statement of the reason for choice of the procurement method

(i) the tender price

(j) a summary of the evaluation of submissions, including the reason for the rejection of an abnormally low bid

CONTENT OF RECORD (REGULATION 4(A-O)) (CONT'D)

(k) a decision to conduct a procurement without a standstill period and the reason for the decision

(l) a decision to suspend a standstill period

(m) the signed contract

(n) a decision of the Office pursuant to its review and the reasons for the decision

(o) such other information required by the Office

**THE PUBLIC
PROCUREMENT &
DISPOSAL OF
PUBLIC
PROPERTY
REGULATIONS**



THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC PROPERTY REGULATIONS

- ❑ The ten (10) individual Regulations to operationalise the Public Procurement and Disposal of Public Property Act were approved in the House of Representatives on 14th January, 2022 and in the Senate on 8th February, 2022
- ❑ 10 different documents can be downloaded from our website at <https://oprptt.org/regulations-laid-in-parliament/>

HIGHLIGHTS OF THE REGULATIONS

- **The PPDPP (Participation in Procurement) Regulations, 2021**
 - Domestic preference
 - Margin of domestic preference
 - Participation of joint ventures and other consortia
 - Procurement Depository
- **The PPDPP (Pre-qualification and Pre-selection) Regulations, 2021**
 - Clarification of pre-qualification documents
 - Invitation for pre-selection
 - Assessment for pre-selection
 - Pre-selection scoring criteria

HIGHLIGHTS OF THE REGULATIONS

- **The PPDPP (Procurement Methods and Procedures) Regulations, 2021**
 - Strategic procurement
 - Thresholds
 - Open bidding
 - Limited bidding
 - Request for quotations
 - Procedures for single source selection
 - Framework Agreements
 - Electronic reverse auction
 - Procurement and Disposal Advisory Committee
 - Technical specifications

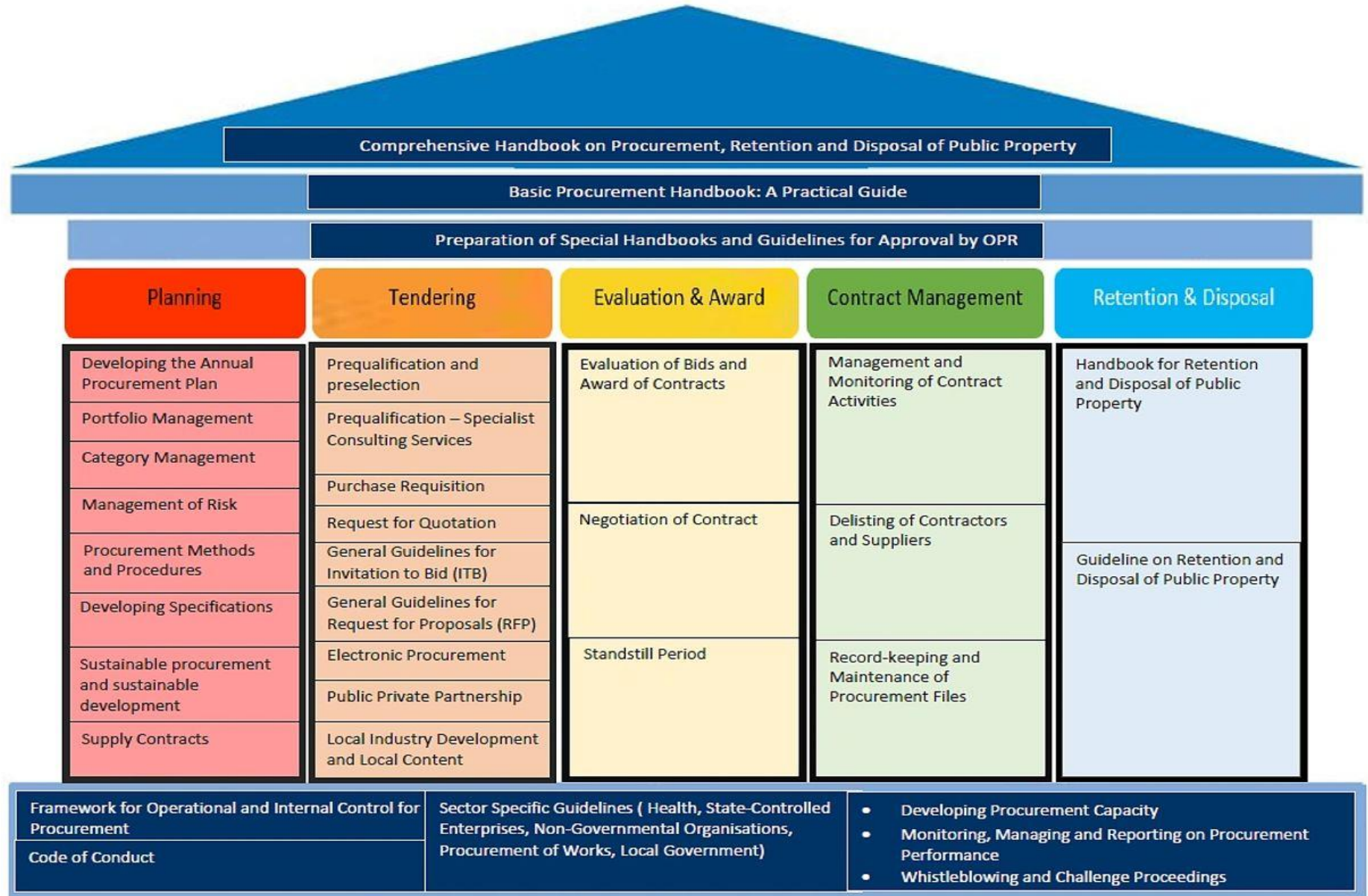
HIGHLIGHTS OF THE REGULATIONS

- **The PPDPP (Evaluation) Regulations, 2021**
 - Evaluation criteria
 - Price factors
 - Non-price factor
 - Standstill period
- **The PPDPP (Procurement of Consultants) Regulations, 2021**
 - Submission of proposals
 - Evaluation procedure
- **The PPDPP (Record of Proceedings) Regulations, 2021**
 - Requirement to keep a record
 - Content of record
 - Reporting

HIGHLIGHTS OF THE REGULATIONS

- **The PPDPP (Retention of Public Property and Disposal of Personal Property) Regulations, 2021**
 - Risk-based approach to retention of public property
 - Disposal to public employees
- **The PPDPP (Challenge Proceedings) Regulations, 2021**
 - Procedure for review
- **The PPDPP (Ineligibility Proceedings) Regulations, 2021**
 - Hearings and evidence
 - Ineligibility sanction
- **The PPDPP (Miscellaneous) Regulations, 2021**
 - Committee Members

HANDBOOKS & GUIDELINES



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Thank you for your kind attention!

**We are happy to answer any questions
you may have.**

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