

General Guidelines



PREPARATION OF HANDBOOK & SPECIAL GUIDELINES FOR APPROVAL



Prepared by: The Office of Procurement Regulation

HGGE03 - 08-2023 - Version 2.0

Developed in accordance with the Trinidad and Tobago Public Procurement and Disposal of Public Property Act Number 1 of 2015 (as amended) and the attendant Public Procurement and Disposal of Public Property Regulations 2021

REVISIONS

Revisions of 2023

To be in alignment with the fully proclaimed *Public Procurement and Disposal of Public Property Act, 2015*, as amended (“the Act”), and the ten *Public Procurement and Disposal of Public Property Regulations, 2021*, revisions were made within these guidelines with respect to:

Revision	Page No.
Section 1.3: Removal of instructions to procuring entities to use these General Guidelines as a model for creating their Special Guidelines	1
Section 1.4: Informing public bodies of the need to comply with these guidelines	1
Section 1.5: Informing public bodies where applicable, to highlight any exemptions or amendments in the format specified by the OPR.	1
Addition and Removal of General Guidelines listed in Table 1	3-4
Section 2.3: Revision to the steps public bodies are to take in order to obtain approval of Handbook and Special Guidelines.	5
Section 2.3: Edit text box identifying how changes to Handbook and Special Guidelines are to be managed.	5
Section 3.0: Revision of the process map for the approval of Handbook & Special Guidelines	6
Deletion of Glossary of Terms; replaced by link to OPR’s website for Glossary of Terms	8
Deletion of Acronyms; replaced by link to OPR’s website for Acronyms	8
Name of General Guideline changed to ‘Preparation of Handbook & Special Guidelines for Approval	
The general terminology used throughout these guidelines	
Minor editorial changes throughout document	

***Note:** In the event that there is a discrepancy between the Handbooks & Guidelines and the Act and Regulations, the provisions of the Act and the Regulations shall prevail.

TABLE OF CONTENTS

1.0 PREAMBLE	3
1.1 Purpose of these Guidelines	3
1.2 Who Should Use these Guidelines?	3
1.3 How Should these Guidelines be Used?	3
1.4 Compliance with these General Guidelines	3
1.5 Exemptions or Amendments to these General Guidelines	3
2.0 INTRODUCTION	4
2.1 Responsibilities of the OPR	4
2.2 Responsibilities of Public Bodies	6
2.3 Circumstances Unique to Public Bodies.....	7
3.0 PUBLIC BODIES’ STEPS TO APPROVED HANDBOOK AND SPECIAL GUIDELINES	9
GLOSSARY OF TERMS	10
LIST OF ACRONYMS	10

1.0 PREAMBLE

1.1 Purpose of these Guidelines

The purpose of these guidelines is to provide public bodies with the steps they are required to follow in the preparation of their Handbook and Special Guidelines for approval by the Office of Procurement Regulation (“the OPR”).

1.2 Who Should Use these Guidelines?

These guidelines are to be used by those with the responsibility for developing and approving the entity’s Handbook and Special Guidelines – namely procurement officers, accounting officers or the equivalent within organisations and systems described in the Act as “public bodies”.

1.3 How Should these Guidelines be Used?

These guidelines should be read in conjunction with the Act, the Public Procurement and Disposal of Public Property Regulations, 2021 and the Comprehensive Handbook on Procurement, Retention and Disposal of Public Property.

1.4 Compliance with these General Guidelines

In accordance with Sections 30(1)(a) and 54(1)(a) of the Act, public bodies ‘shall comply with’ these general guidelines issued by the OPR.

1.5 Exemptions or Amendments to these General Guidelines

As may be applicable, pursuant to Sections 13(1) (c), 30(1)(b) and (c), 30(2), 30(3), 54(1)(b) and (c), 54(2) and 54(3) of the Act, public bodies shall prepare Handbooks and Special Guidelines highlighting exemptions or amendments to these general guidelines, in the format specified by the OPR, for its approval.

2.0 INTRODUCTION

The Act introduces a paradigm shift for procurement, retention and disposal of public property in Trinidad and Tobago. Public bodies are required to perform their procurement, retention and disposal of public property functions in a manner designed to achieve the objects of the Act.

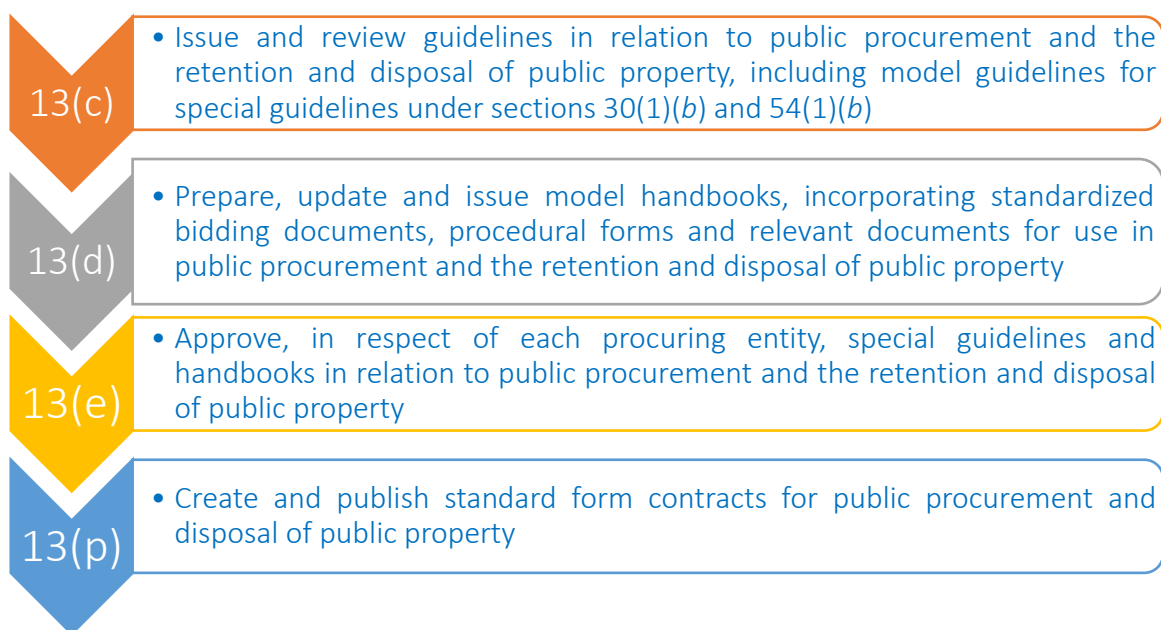
The objects of the Act are to promote

- (a) the principles of accountability, integrity, transparency and value for money;
- (b) efficiency, fairness, equity and public confidence; and
- (c) local industry development, sustainable procurement and sustainable development in public procurement and the disposal of public property.

As stated in Section 5 (1)

2.1 Responsibilities of the OPR

Sections 13 (c), (d), (e) and (p) of the Act mandate the OPR to equip public bodies with handbooks, guidelines, standardised bidding documents, procedural forms, standard form contracts and other relevant documents for use in public procurement, retention and disposal of public property, as follows:



In that regard, the OPR has developed one comprehensive and one basic handbook, a number of general guidelines on a wide range of procurement, retention and disposal of public property activities, as well as, guidelines and other relevant documents, for use by public bodies, as shown in the Table 1 below.

Table 1 – List of OPR General Guidelines and Procedural Forms

No.	Name
General Guidelines	
1.	Comprehensive Handbook on Procurement, Retention and Disposal of Public Property
2.	Basic Procurement Handbook
3.	Preparation of Handbook and Special Guidelines for Approval
4.	Framework for Internal Control for Procurement
5.	Developing Procurement Capacity
6.	Ethical Conduct for Suppliers and Contractors
7.	Ethical Conduct for Public Bodies and Public Officers
8.	List of Acronyms
9.	Glossary of Terms
SECTOR SPECIFIC	
10.	Procurement of Works
PLANNING	
11.	Developing the Annual Procurement Plan
12.	Procurement Portfolio Management and Supply
13.	Category Management
14.	Management of Risks in Procurement
15.	Developing Specifications
16.	Sustainable Procurement & Sustainable Development
17.	Supply Contracts
18.	Procurement Methods & Procedures
19.	Local Industry Development & Local Content
20.	Framework Agreements
TENDERING	
21.	Pre-qualification and Pre-selection
22.	e-Procurement
23.	Desktop Reference: Procurement Methods & Procedures – Quick Guide
EVALUATION AND AWARD	
28.	Evaluation of Submissions and Award of Contracts
29.	Negotiation in Procurement
30.	Standstill Period
31.	Treating with Unsolicited Proposals
CONTRACT MANAGEMENT	
32.	Management Monitoring of Procurement Contracts
33.	Record Keeping and Maintenance of Procurement Files
RETENTION AND DISPOSAL OF PUBLIC PROPERTY	
34.	General Guidelines: Retention & Disposal Personal Property
35.	Handbook - Retention & Disposal of Public Property
Procedural Forms	
36.	Request for Information Guideline Template
37.	Procurement Strategy Development Template - High Risk-Value

No.	Name
38.	Procurement Strategy Development Template - Low Risk-Value
39.	Request for Quotation Letter with Forms
40.	Purchase Requisition Template
41.	Market Research Report Template
42.	Supplier Contractor Appraisal
43.	Tender Evaluation Report Template
44.	RFP Template – Consultancy Services
45.	Preparing the Annual Procurement Performance Report
46.	Disposal Forms (Forms A-H)
47.	Standard Terms and Conditions of Purchase
48.	Handbook and Special Guidelines on Public Procurement, Retention and Disposal of Public Property Template
49.	ITB Template - Framework Agreement
50.	ITB Template - Procurement of Goods, or Goods and Related Services

Note: As and when required, in accordance with Section 13 of the Act, the OPR will update the listing of Handbooks and Guidelines for use by public bodies.

2.2 Responsibilities of Public Bodies

Public Bodies may utilise the handbooks, guidelines, documents and templates issued by the OPR to perform their procurement, retention and disposal of property activities.

However, where necessary, a public body should develop its own special handbook and guidelines to facilitate the achievement of the objects of the Act, without compromising its unique circumstances which must be submitted to the OPR for approval. In that regard, the Act provides for the following:

30(1)

A procuring entity shall comply with—

- (a) such general guidelines in relation to public procurement as the Office may issue;
- (b) such special guidelines in relation to public procurement as the Office may approve for that procuring entity; and
- (c) such handbooks in relation to public procurement as the Office may approve for that procuring entity for the purposes of ensuring compliance with this Act and guidelines under paragraphs (a) and (b).

30(2)

Special guidelines under subsection (1)(b)—

- (a) shall be prepared by the procuring entity and submitted to the Office for its approval; and
- (b) may provide that general guidelines under subsection (1)(a) shall apply to a procuring entity subject to such exemptions or amendments as are specified in the special guidelines.

30(3)

Handbooks under subsection (1)(c) shall be prepared by the procuring entity and submitted to the Office for its approval.

54(1)

A public body shall comply with—

- (a) such general guidelines in relation to the retention and disposal of stores and equipment of a public body as the Office may issue;
- (b) such special guidelines in relation to the retention and disposal of stores and equipment of a public body as the Office may approve for that public body; and
- (c) such handbooks in relation to the retention and disposal of stores and equipment of a public body as the Office may approve for that public body for the purposes of ensuring compliance with this Act and guidelines under paragraphs (a) and (b).

54(2)

Special guidelines under subsection (1)(b)—**such**

- (a) shall be prepared by the public body and submitted to the Office for its approval; and **thy**
- (b) may provide that general guidelines under subsection (1)(a) shall apply to a public body subject to such exemptions or amendments as are specified in the special guidelines.

54(3)

Handbooks under subsection (1)(c) shall be prepared by the public body and submitted to the Office for its approval.

2.3 Circumstances Unique to Public Bodies

Circumstances unique to a public body may be as a result of one or more of the following characteristics:

- 1) Its **legal structure**, for example, the public body may be owned by a mixture of shareholders such as government, private and/ or may be publicly traded.
- 2) **Operating procedures** (the public body may be bound by certain commercial practices in order to maximise profits and minimise costs)
- 3) **Size of operation** (the entity may be extremely large or extremely small)

General Guidelines: Preparation of Handbook and Special Guidelines for Approval

- 4) **National Security** (some of the operations of the entity may be sensitive to national security considerations)
- 5) **Unique business model** (in terms of the entity's operations and/ or reporting lines)
- 6) **Unique market circumstances** (e.g. requirement for highly complex or specialised goods and services).

In such instances the public body will be required to take the following steps in order to obtain approval of its Handbook and Special Guidelines:

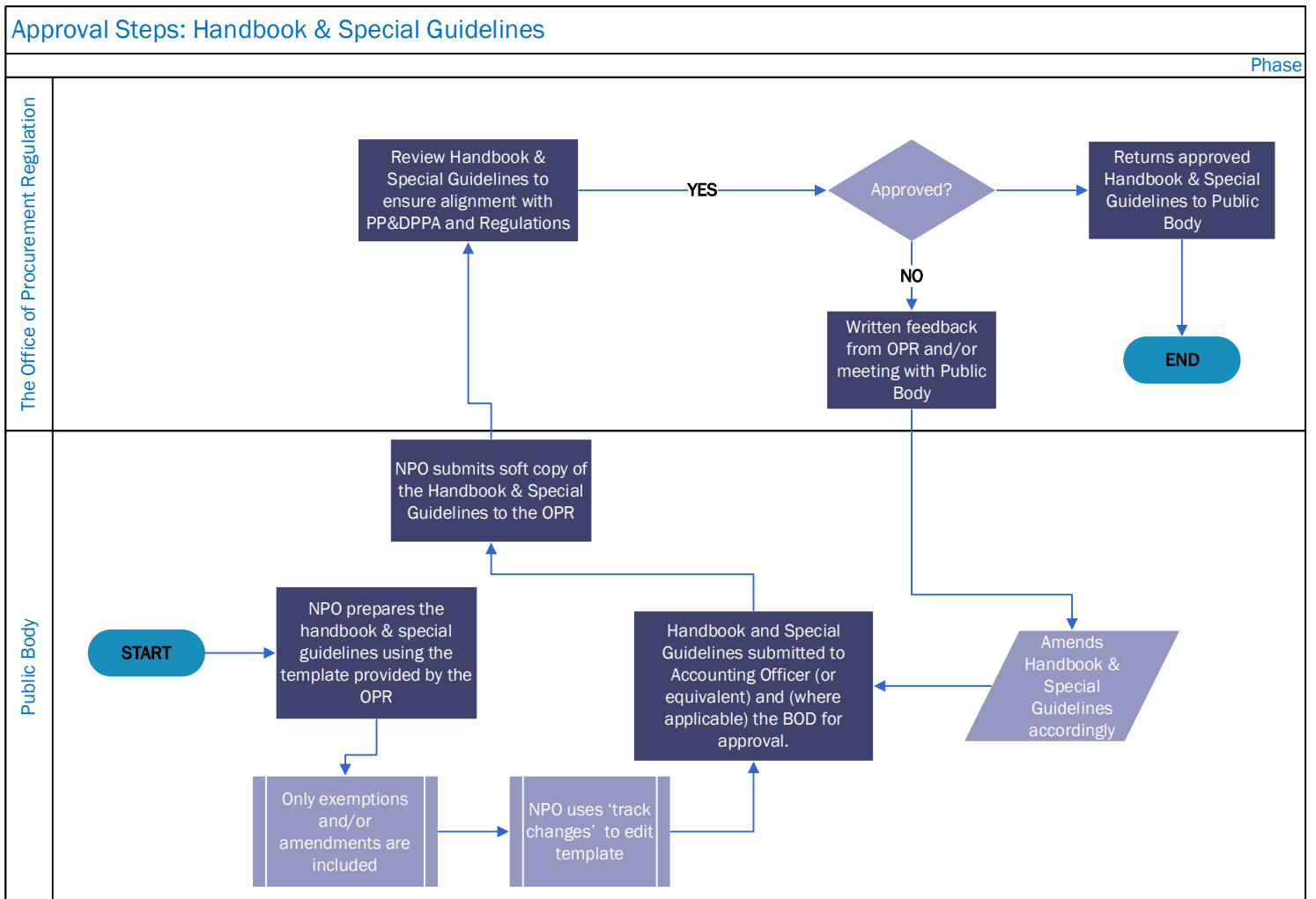
- 1) Using the template provided by the OPR, Public bodies shall prepare a Handbook and Special Guidelines indicating **only** exemptions or amendments, in each of the relevant sections.
- 2) Public Bodies are required to utilise the "Track Changes" feature in MS Word to edit the template.
- 3) Subsequently, public bodies shall submit a soft copy of the Handbook and Special Guidelines to the OPR for review and approval.

NOTE! Any future edits to the already approved Handbook and Special Guidelines must be clearly identified by a "version number". For example, the initial document is "Version 1". When the first change is made, the resulting revision is "Version 2", and so on.

Each version should also be dated, while clearly identifying the change(s) made and re-submitted to the OPR for approval.

3.0 PUBLIC BODIES' STEPS TO APPROVED HANDBOOK AND SPECIAL GUIDELINES

The following process map illustrates the steps to be taken by a public body for the approval, by the OPR, of its Handbook and Special Guidelines:



GLOSSARY OF TERMS

The Glossary of Terms is available on the OPR's website at <https://oprtd.org/handbooks-of-procurement-retention-disposal/>

LIST OF ACRONYMS

The list of Acronyms is available on the OPR's website at <https://oprtd.org/handbooks-of-procurement-retention-disposal/>