THE OFFICE OF PROCUREMENT REGULATION
ACCOUNTABILITY | INTEGRITY | TRANSPARENCY | VALUE FOR MONEY

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PUBLIC ADVISORY #28

Publication of Planned Procurement Activities and Notice of Award of Procurement Contracts or Framework Agreements

The Office of Procurement Regulation ("the OPR") issues this advisory to highlight legal obligations under the Public Procurement and Disposal of Public Property Act, 2015, as amended. This advisory focuses on the requirements for public notice of contract awards and the publication of scheduled procurement activities.

Publication of Planned Procurement Activities 6 Weeks After Approval of National Budget

Section 27 (1) (a) provides:

> *"A procuring entity shall— (a) no later than six weeks after the approval of the National Budget, publish on its website or in any other electronic format, information regarding all planned procurement activities for the following twelve months..."*

It is to be noted that the National Budget is deemed to be approved upon the Presidential Assent of the Appropriation (Financial Year 2025) Bill, 2024.

Disclosure Obligations for Contracts Exceeding $1 Million

Section 36 (1) provides:

> *"Upon the entry into force of a procurement contract or conclusion of a framework agreement, a procuring entity shall promptly publish on its website or in any other electronic format, notice of the award of the procurement contract or the framework agreement, specifying the name of any supplier or contractor with whom the procurement contract or framework agreement was entered into, the goods or services to be supplied, the works to be effected, and, in the case of procurement contracts, the date of the award of the contract and the contract price."*

For all procurement contracts **exceeding $1 million, Section 36(1)** of the Act mandates the prompt publication of specific contract details.

Public Procurement and Disposal of Public Property (Simplified Procurement) Regulations, 2024

Section 13 (1) (c)

"Where a procuring entity is engaged in ***a simplified procurement****, the following* ***do not apply****:*

(a) review process by the Procurement and Disposal Advisory Committee, established pursuant to regulation 21 of the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021;

(b) observance of a standstill period;

(c) section 36 of the Act; *and*

(d) challenge proceedings set out in Part V of the Act."

Simplified Procurements include:

- Micro procurement which refers to the procurement of goods, services, or works that cost $75,000 or less, inclusive of taxes, duties, and other charges.
- Small-scale procurement which refers to the procurement of goods, services, or works that cost more than $75,000 but less than $1 million, inclusive of taxes, duties, and other charges.

The OPR stands committed to the highest standards of public service and governance.

The public is reminded that the OPR is a body corporate established pursuant to an Act of Parliament, namely the Public Procurement and Disposal of Public Property Act, 2015 (as amended), which aims to provide for public procurement, and for the retention and disposal of public property in accordance with the principles of good governance, namely accountability, integrity, transparency, and value for money.

Beverly Khan
Chairman/Procurement Regulator
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