



FREQUENTLY ASKED QUESTIONS
PROCUREMENT PLANNING & STRATEGY DEVELOPMENT

No.	Question	Category	Response
1	When can we issue a Request for Information (RFI)?	Procurement Planning & Strategy Development	<p>“A Request for Information is a market consultation document issued for the purpose of obtaining information to assist the purchaser in its procurement planning” – Emanuelli, Paul. <i>Government Procurement</i>. Toronto, Ontario: LexisNexis, 2017.</p> <p>As such, a RFI can be issued during the procurement planning stage or prior to a public body beginning its tendering process. A RFI is generally not intended to result directly in the awarding of a contract and its ‘information only’ intention should be unambiguous. Of note, a RFI process should be conducted in an open and transparent manner to allow all interested suppliers or contractors to submit information.</p>
2	What is to be reported in the planned procurement activities for publishing?	Procurement Planning & Strategy Development	<p>The Annual Schedule of Procurement Activities flows from a public body’s Annual Procurement Plan and can be appended to the Annual Procurement Plan.</p> <p>The Annual Procurement Plan presents a strategy through which a public body can manage its procurement-related risks and opportunities in support of the delivery of its organisation’s mandate and strategy and must include all planned procurement activities for the following fiscal year.</p>



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			<p>Pursuant to section 27 of the Public Procurement and Disposal of Public Property Act, 2015 (as amended) (hereinafter referred to as 'the Act'), since the planned procurement activities of a public body must be published on its website or in any other electronic format no later than six (6) weeks after the National Budget is approved, the Annual Procurement Plan should take into consideration the allocation for the fiscal period.</p> <p>The Annual Schedule of Procurement Activities (to be published) should include the following information:</p> <ul style="list-style-type: none"> i. Project number; ii. Project name; iii. Brief description of the Project; iv. Proposed Date for the Issue of Bidding documents; v. Expected Delivery/Completion Date; vi. Estimated Project Delivery (for Works and Services); vii. Procurement Method; viii. Duration of Standstill Period (if applicable); and ix. Contract Type.
3	Is the scope and cost combination in the Annual Procurement Plan the same as a Bill of Quantities?	Procurement Planning & Strategy Development--Cost	The scope and cost combination in an Annual Procurement Plan is not the same as a Bill of Quantities (BOQ) as a BOQ is



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		Estimation for Annual Procurement Plan	<p>a more detailed breakdown of the cost associated with a particular procurement activity.</p> <p>The scope and cost used in your procurement planning process would be developed based on the needs identified by the public body. In addition, by undertaking market research, portfolio analysis and consulting with subject matter experts, a public body should be able to develop a reasonable cost estimate.</p>
4	How long after the publication of the Annual Schedule of Planned Procurement Activities should a public body wait before going out to Tender?	Procurement Planning & Strategy Development-- Publication of Annual Scheduled of Procurement Activities	<p>Pursuant to section 27 of the Act, a public body is required to publish, no later than six (6) weeks after the approval of the National Budget, its planned procurement activities.</p> <p>There is no specified timeframe that prohibits a public body, subsequent to the publication of its planned procurement activities, from procuring goods, works and services.</p>
5	Even though the Act is not yet fully proclaimed, do we have to publish the Annual Schedule of Planned Procurement activities?	Procurement Planning & Strategy Development-- Publishing of Annual Scheduled Planned	Since section 27 of the Act has not been proclaimed, public bodies are not required to publish its Annual Schedule of Planned Procurement activities. However, upon full proclamation (or proclamation of section 27), publishing of all planned procurement activities will be mandatory.



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		Procurement Activities	The Office is therefore recommending that public bodies practise the requirements under the Act so that upon full proclamation, public bodies will already be in the habit of complying with the requirements of the Act.
6	What determines a reasonable level of specification before it becomes restrictive? Could restrictive specifications be used to manipulate the outcome of a tendering process?	Procurement Planning & Strategy Development-- Specifications	<p>Specifications describe the precise parameters or standards that a supplier or contractor must meet in order for the purchase to be accepted by the public body. Specifications must be included in the solicitation document(s) issued to interested suppliers or contractors as it forms the basis for submitting offers.</p> <p>In the case of goods, the specifications describe the characteristics of what is to be purchased; with services, the specifications sets out what is required of the service provider; and with works, the specifications sets out a description of the requirements of services to be performed and may include material requirements to perform the needed services.</p> <p>All specifications must seek to promote overall competition, shall not be restrictive, and provide fair and equal opportunity for every supplier or contractor that is able to meet the State’s needs. As such, in developing or defining</p>



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			<p>specifications, a public body may refer to either performance or functional requirements; or reference national or international recognised standards which may be combined with an indication that 'equivalents' (where appropriate) will be required.</p> <p>By describing specifications in terms related to performance or functional requirements or national or international recognised standards instead of trademark, brand name or patents, this can ensure fair treatment and equality of opportunity for bidders.</p> <p>As such, biased or restrictive specifications create unnecessary obstacles for bidders and limits competition by precluding other bidders, other than the incumbent, from submitting a compliant proposal.</p>
7	Would the Office make the use of SUPREM mandatory?	Procurement Planning & Strategy Development-- SUPREM	The use of SUPREM by public bodies is not mandatory. However, the Office recommends that public bodies use SUPREM (or a suitable risk management tool) to assess risk and assist with procurement planning activities.



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			Of note, the Office is currently working with the developers of SUPREM to upgrade the tool, following which the Office will roll out SUPREM to public bodies.