



**FREQUENTLY ASKED QUESTIONS
PROCUREMENT AND DISPOSAL ADVISORY COMMITTEE**

No.	Question	Category	Response
1	Will the composition of Procurement and Disposal Advisory Committee (PDAC) vary according to subject matter or are the appointments permanent?	PDAC	<p>The PDAC should consist of a minimum of three (3) persons. The OPR is suggesting (at a minimum) the following composition:</p> <ul style="list-style-type: none"> (a) Corporate Secretary/Head of Legal; (b) Head of Finance; and (c) Subject Matter Expert. <p>The Head of Legal and the Head of Finance may be established as permanent members of the PDAC. The third member of the PDAC would be the subject matter expert and will vary based on the procurement activity being considered.</p> <p>The public body should establish alternate members (at Managerial levels) in instances where there may be a conflict of interest. If the public body does not have the requisite capabilities, that public body may seek assistance from any other public body or an external organisation.</p> <p>A public body can expand the composition or membership of its PDAC to the specific needs of the entity. Of note, the public</p>



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			body's handbooks and guidelines should state clearly the composition of the PDAC that it will adopt.
2	With reference to the recommendation that legal be a permanent member of the PDAC, is it a conflict of interest having that said person who would have advised on and drafted contracts also be a member of PDAC?	PDAC	<p>Where a conflict of interest may arise, the public body must elect an alternate member of the Corporate Secretariat/Legal Department to sit on the PDAC.</p> <p>The OPR recommends that the Legal representative be the chairperson of the PDAC.</p>
3	Is the subject matter expert developing the evaluation criteria and approving the evaluation reports as a member of PDAC?	PDAC	<p>The PDAC does not approve evaluation reports or recommendations for awards. PDAC is a procedural safeguard set up to review and ensure that the evaluation committee followed the established procedures outlined in the public body's approved Handbooks and Guidelines as well as the solicitation documents. Following the review, the PDAC will make a recommendation to the Accounting Officer, who is responsible for approval.</p> <p>To ensure that there is adequate separation of duties the subject matter expert elected by the public body to sit on the PDAC should be different from the subject matter expert</p>



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			sitting on the evaluation committee and who would have assisted in the development of the evaluation criteria.
4	If there is only one legal representative, can they be on both the evaluation committee and the PDAC? If no, which of the two committees should they be placed in?	PDAC	The OPR recommends that public bodies that do not possess the requisite internal capabilities (more particularly in the high-risk/high-value contracts) should source the required competency from another public body or in the case of high value contracts, the public body may need to outsource these services and bring in persons with the relevant capabilities.
5	Can members who sit on the Disposal Committee also sit on PDAC?	PDAC	<p>Persons sitting on the Disposal Committee should not sit on the PDAC. This is to ensure that there is a segregation of duties and that internal controls are maintained.</p> <p>Of note, the Disposal Committee and the PDAC are two separate Committees. The Disposal Committee acts as an operational committee responsible for recommending the best method of disposing of unserviceable, obsolete or surplus stores or equipment to the 'Named' Procurement Officer who subsequently makes this recommendation to the Accounting Officer via the PDAC (who acts as an advisory committee to the Accounting Officer).</p>



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6	Who selects the PDAC committee?	PDAC	The Accounting Officer or equivalent selects the members of PDAC.
7	Should every Division within the Tobago House of Assembly (THA) establish their own PDAC or should there be one across the THA as a whole and is there a stipulated time one should be a member on this committee?	PDAC	The THA or a Division of the THA is identified as a public body under section 4 of The Act. As such, the THA and each Division of the THA ought to have a 'Named' Procurement Officer and should therefore also have a PDAC. If the Assembly decides to have one 'Named' Procurement Officer then that person should specifically be named as the Procurement Officer for THA and the divisions of THA. Further, if a public entity requires time limits for the membership of the PDAC, the public body must state these time limits in its Handbooks and Guidelines to be approved by the OPR.