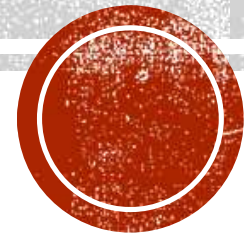


PUBLIC PROCUREMENT TRAINING

By Central Procurement Unit,
Ministry of Finance & Economic Development



DAY 1: 18/02/2025

PRIVATE SECTORS ENGAGEMENT IN GOVERNMENT PUBLIC PROCUREMENT

EMPOWERING LOCAL BUSINESSES TO PARTICIPATE IN GoK Public Procurement

Difference Between **Public & Private Sector**



Public Sector



Private Sector

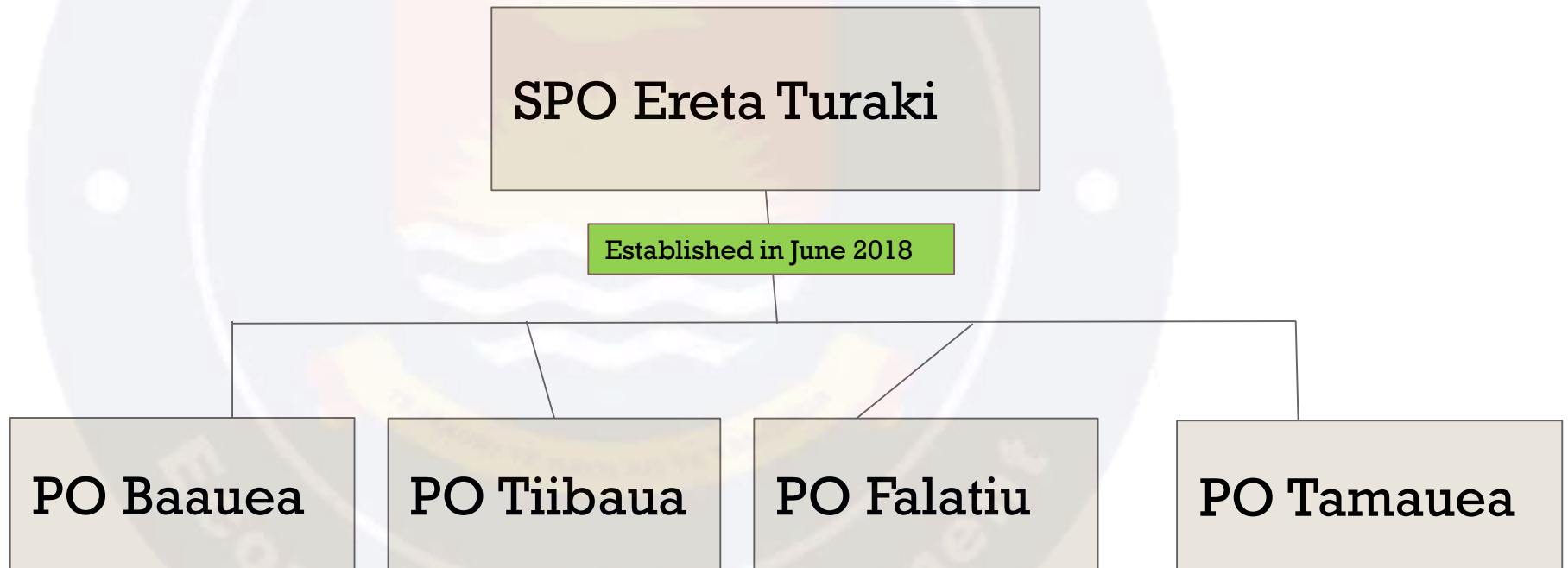


MAIN CONTENTS:

- What is public procurement
 - Types of procurements
 - Methods of procurements
 - How to participate at GoK open tenders
 - Model documents or Invitation to Tender Templates (ITT Templates)
 - Evaluation process
 - Contract award procedure
 - Complaints handling procedure
 - Contract management process
 - Introduction to sustainable public procurement
- Falatiu
- Tiibaua
- Baauea
- Ereta



CENTRAL PROCUREMENT UNIT (CPU) – ORG STRUCTURE



SPO: Senior Procurement Officer
PO: Procurement Officer



WHAT WE DO AT CPU:

- Ensure compliance to the public procurement legal framework
- Support private sector development through access to procurement opportunities
- Assist Government organizations managing public procurements to ensure achievement of 'value for money' for GoK tenders
- Training support to the public and private sector on public procurements
- Etc



TRAINING PERFORMANCE INDICATORS:

- Increasing the rate of private sectors engagement in GoK public procurements
- Promoting fair competition through transparent approach
- Compliance rate increased to the public procurement legal framework
- Increasing trust to the national procurement system



PROCUREMENT LEGAL FRAMEWORK (EFFECTIVE DATES)

Name of legal Framework	Effective dates
Public Procurement Act 2019	5 th December 2019
Public Procurement Regulations	12 th May 2020
Public Procurement Manual	9 th March 2021 (published)

Procurement Amendment Bill was signed on the 19th of May 2021



WHAT IS PUBLIC PROCUREMENT

Definition under Section 3 of the Procurement Act 2019

- The acquisition of goods, services and works utilizing public funds

What is public funds???



TYPES OF PROCUREMENT

Standard goods



Specified goods



Standard services



Consulting services



METHODS OF PROCUREMENT

- Open competitive procedure
- Limited competitive procedure
- Single source procedure
- Pre-qualification procedure
- Framework agreement



OPEN COMPETITIVE PROCEDURE (OCP)

- Procurement is addressed to ***all Economic Operators***
- Published on the Kiribati Public Procurement Web portal (TenderLink)
- Use the Model Documents or Invitation to Tender (ITT) templates
- Any interested Economic Operator may submit a tender to take part in Public Procurement



LIMITED COMPETITIVE PROCEDURE (LCP)

- Public Procurement may be addressed directly to a preselected list of Economic Operators
- Procuring Entities shall be responsible for preparing a list of preselected Economic Operators
- The use of Model Documents or ITT template is applicable in this procedure
- The PE shall invite a minimum number of new and non-graded economic operators, if available.
- Procuring Entities may apply Limited Competitive Procedures only after having received written approval from the Chief Procurement Officer (i.e, Secretary of MFED)



SINGLE SOURCE PROCEDURE (SSP)

- Applicable to Medium and High Value Procurement
- Recommends a supplier/contractor/service provider without any competition
- Approved by CPO prior initiation

The condition of single source include the following:

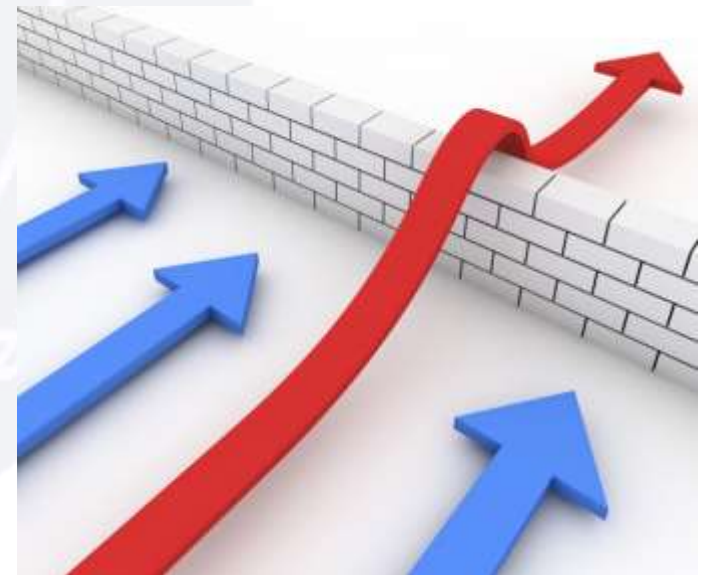
1. Monopoly situations
2. Extremely urgent situation
3. Extremely critical situations
4. Protection of national safety and security
5. Additional deliveries
6. Exceptionally advantageous temporary conditions

If not properly managed



PRE-QUALIFICATION PROCEDURE

- To limit the number of tenders to evaluate on broad market
- Indicate minimum Tenderer capacity requirements
- Use to pre-qualify Economic Operators to be eligible to submit a tender for Specified Goods, Services or Works
- Pre-approval of CPO
- A request for Pre-Qualification shall consist of at least the following document
 - Invitation
 - Instruction
 - Intended timeline for an invitation to tender
- Published on the Public Procurement Web portal



FRAMEWORK AGREEMENTS (FWA)

- Commonly procured Goods, Services (or Works) for
 - The whole government
 - Some Procuring Entities with similar needs
 - One Procuring Entity, with unique but frequent needs
- With one or many Economic Operators
- Scope, terms and conditions for subsequent deliveries defined in the FWA
- Not more than 2 years + option 1 year
- One Economic Operator – Suborder
- More than one – Sub-tender & Suborder



MULTIPLE SUPPLIER FWA



- New simplified competition
- Only parties to the FWA – but to all
- Within the terms and conditions of the FWA, including procedures and timelines
- Best Value for Money

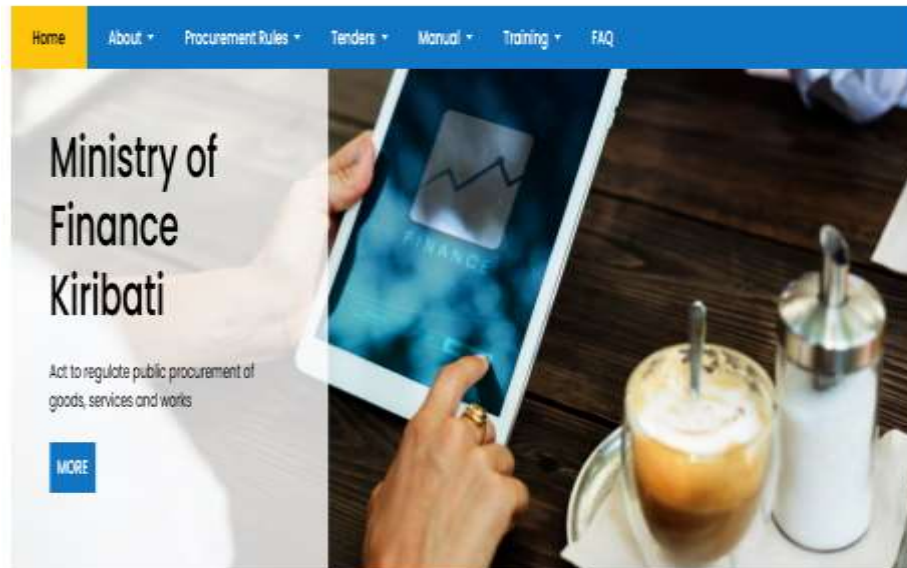
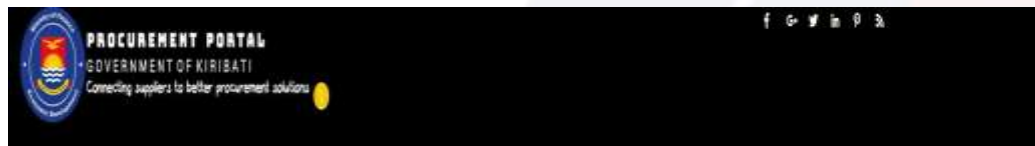


QUESTIONS?



HOW TO PARTICIPATE AT GOK OPEN TENDERS

www.procurement.gov.ki



- [Welcome To Kiribati Ministry of Finance and Economic Dev E-Tendering](#)



HOW TO PARTICIPATE AT GOK OPEN TENDERS



Ministry of Finance & Economic Development
GOVERNMENT OF KIRIBATI

[All Current Notices](#) [Our Details](#) [My Details](#) [Search](#) [Submissions](#) [Contract Management](#) [Support](#) [Dashboard](#)

Evaluation Tamauea Taabwe

Dashboard

our details

- Our Company Details
- Our User Details
- Our Current Statement
- Online Payments

search tenders

- All Current Tenders
- New Search
- View a Specific Tender Number
- Previously Viewed Tenders
- Search My Profile(s)

online help

- Online Manuals

support

- Resources Page
- Terms of Service
- Privacy Policy
- Frequently Asked Questions
- Contact Us

my details

- My Profiles
- Search My Profile(s)
- Previously Viewed Tenders
- View Tender Forums
- View Contractor Lists

tender submissions

- Submit Notice Responses
- View Notices Responded To

reporting new



Ministry of Finance & Economic Development
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Evaluation Tamauea Taabwe

All Current Tenders

The following 1 tender notices are current. To view full details of notices and download documents click on the Notice ID.

Notice	Summary	Type	Forum Close Date	Close Date/Time
MFEDKI-1113191	GDW-2/1 Construction of Water Supply Network and Associated Works in South Tarawa, Kiribati	Public - Request for Tender	31/01/2025	21/2/2025 4:00 PM NZST



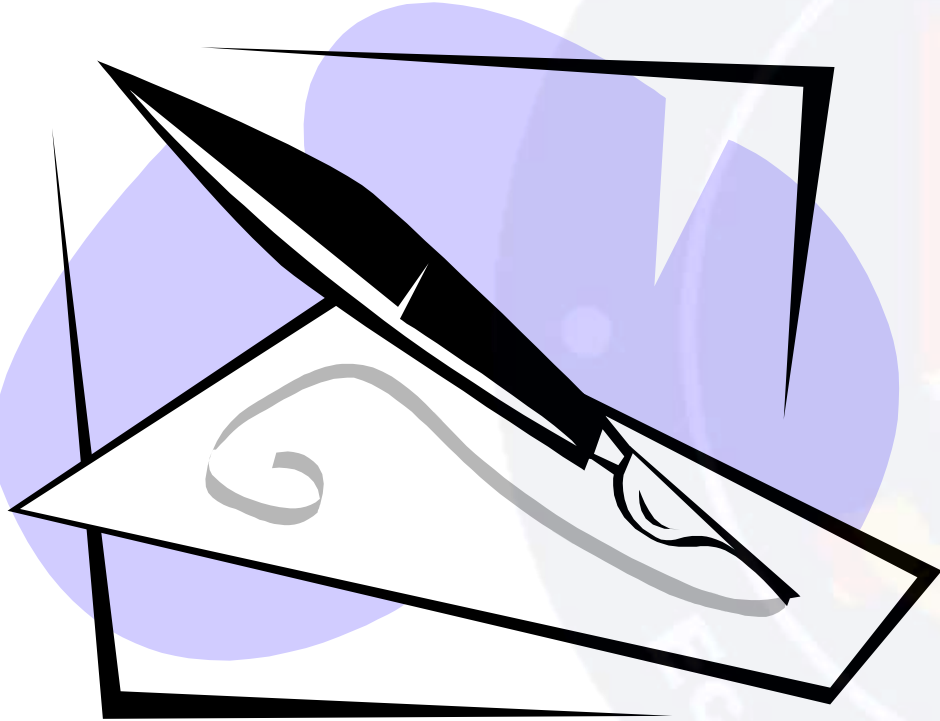
MODEL DOCUMENTS (INVITATION TO TENDER TEMPLATES)

1. Letter of invitation
2. Instruction on how to submit a tender
3. Time schedule
4. Specification templates
5. Evaluation criteria and method
6. Specific contract conditions (SCC)
7. General contract conditions (GCC)
8. Certificate of compliance form
9. Availability of financial resources



LETTER OF INVITATION

- **Procuring Entity, date & number**
- **Closing date**
- **Subject of the procurement**
- **List of documents included**
 - **Instructions on how to submit the Tender**
 - **Time Schedule for the procurement process**
 - **What to be provided** – Specification or Terms of Reference (TOR)
 - **Evaluation Criteria and Method**
 - **Forms to use in the Proposal** – Technical Forms (narrative, allocation), Financial Form
 - **Specific Contract Conditions**
 - **General Contract Conditions**
 - **Certificate of Compliance Form**



INSTRUCTIONS ON SUBMISSION

- Minimum required contents of Tenders
- Deadline and the rules therefore
- Method, format and documents for submission
- Mandatory requirements
 - Reference to a Certificate of Compliance form
- Questions & Answers and clarifications
- Minimum validity time of Tenders
- The Award procedure



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TIME SCHEDULE

Event	Responsible Party
1. Launch and publication of RFP	Procuring Entity
2. TOR Presentation	Procuring Entity
3. Last date for questions about RFP	Tenderer
4. Last date for answers to questions and/or to amend the RFP	Procuring Entity
5. Last date for submissions of Proposals	Tenderer
6. Proposal presentation	Tenderer
7. Evaluation finalized	Procuring Entity
8. Award of contract	Procuring Entity
9. Contract Terms and Conditions	Procuring Entity/Tenderer
10. Contract signing	Procuring Entity/Tenderer
11. Contract/ Project start date	Tenderer

Minimum tender period for each
Procurement methods

Request for Quotation- 25 calendar days
Request for Proposal- 45 calendar days
Request for

- The whole Public Procurement procedure
- Deadline for Tender submission
- Deadline for the Procuring Entities to receive possible questions
- Indication of the date, timing and place for
 - Tender opening sessions
 - Evaluation
 - Award
 - Signing of Contract or Framework Agreement
 - Start date of Contract or Framework Agreement

SPECIFICATION/TOR

- Detailed description of the necessary technical requirements of the object of the Public Procurement, including e.g. delivery time and other related goods or services to be provided.
- Replaced in the Contract or Framework Agreement, with
 - Response of compliance and solutions in the Tender
 - A proprietary document provided by the Tenderer
- The basis for the Technical Evaluation
 - Reflected in the Evaluation Criteria



EVALUATION CRITERIA AND METHOD

Major Criteria	Details & Sub-Criteria	Possible Score
Firm/consortium's experience and reputation in similar assignments	• Technical Tender and supporting documentation showing relevant experience in ... • Track record showing understanding of ... •	00
Methodology	• Proposed methodology is of high quality, technically and logistically feasible, and responsive to the ToR. • Methodology shows a sound understanding of... •	00
Team composition and qualifications of proposed personnel	• Proposed personnel together have the requisite skills and experience to carry out the assignment based on stated competence requirements • Personnel have the skills needed to execute the methodology •	00
Other criteria	•	00
Other criteria	•	00
Total Possible Technical Score		100

- Describes the criteria and weighting that will be evaluated
- Defines the evaluation model
- Defines the weight between the technical and financial components
- May disclose the maximum budget available
 - To avoid receiving Tenders that exceed the budget, leading to cancellation
 - Risk: Tenderers consider the maximum budget as a target – the weight between technical and financial to be emphasized:
 - ***Please, note that we do not recommend this maximum amount as a 'target' for your Tender. The evaluation is a result of a combination of technical soundness and cost effectiveness of the Tenders, i.e. the evaluation of the financial component will be added to the evaluation result of the technical component, in accordance with the principles and weights set out in this document.***

SPECIFIC CONTRACT CONDITIONS (SCC)

- Will be finalised when the Award is concluded (Word format)
- Information to be included in the Contract, e.g.:
 - Information on the parties, including formal addresses and contact details
 - Contract value
 - Payment terms
 - Effectiveness and duration of the Contract
- Three Annexes
 - a) Conditions for the delivery of Goods or Works, or provision of Services
 - b) Specification or Terms of Reference
 - c) General Contract Conditions (pdf format)



CONTRACT FOR THE SUPPLY OF SPECIFIED GOODS

SPECIFIC CONTRACT CONDITIONS

FOR

[PROCUREMENT TITLE]

[CONTRACT NUMBER:]

GENERAL CONTRACT CONDITIONS (GCC)

- Standardised terms and conditions for Contracts with the Government of Kiribati
- Should not be modified
- Modification has to be approved by the OAG
- Regulated in the SCC



CONTRACT FOR THE SUPPLY OF SPECIFIED GOODS

GENERAL CONTRACT CONDITIONS

CERTIFICATE OF COMPLIANCE FORM

- No Conflict of Interest
- Fulfills the financial viability requirements
- Not subject to corruption or criminal activities
- Socially and environmentally responsible
 - undertaking to follow the UN Supplier Code of Conduct
 - Social inclusive and Environmental friendly
- Accept the terms and conditions of the Contract or Framework Agreement
- No cost for Tender preparation is charged
- Verify that all information submitted is correct

I, a duly authorized representative of the Tenderer [and a member of the consortium, joint venture or other type of association with [state members], hereby certify that I have read and understood the above, and that [name of corporation] fully comply with all the requirements described in this form. I understand that failure to comply with any of the requirements will result in the rejection of the Proposal:

*_____
Name of association (if other than Corporation)*

*_____
Name of Corporation Name of Authorized Signatory Title of Signatory*

*_____
Signature Date of signature*

AVAILABILITY OF FINANCIAL RESOURCES

- All tenderers need to complete this form and attach financial reports (i.e, statement of financial position, financial performance, and cash flow). The reports is a true representation of the business
- Financial reports has to be audited with notes provided

I, a duly authorized representative of the Tenderer [and a member of the consortium, joint venture or other type of association with **state members**], hereby certify that the above statements are correct. I understand that falsely submitted information will result in a rejection of the Tender.

Name of association (if other than Corporation)

Name of Corporation

Name of Authorized Signatory

Title of Signatory

Signature

Date of signature

¹ If the business has been active for less than three years, this shall be declared and the financial statements shall account for the active years



Availability of Financial Resources

This form has to be completed by the Tenderer and submitted together with the Tender. In case of consortium, joint venture or other organising of the Tenderer, each member must complete the form. This does not apply to subcontractors.

Financial data for the previous three (3) years (in AUD)

	Year 1	Year 2	Year 3
Relevant year:			
Turnover			
Profit before taxes			
Profit after taxes			
Current Assets			
Current Liabilities			
Working current ratio (current assets/current liabilities)			



QUESTIONS?



EVALUATION PROCEDURE

Thresholds – see the DOA

PE approval

- VLVP <AUD1,000
- LVP AUD1,000-9,999

Central approval

- MVP AUD10,000-49,999
- HVP AUD50,000>

Acronyms

VLVP: Very low value procurement

LVP: Low value procurement

MVP: Medium value procurement

HVP: High value procurement



EVALUATION COMMITTEE

- Appointed before publication or submission of an ITT
- Comply with the Principles of Public Procurement
- No conflict of interest
- Declaration of impartiality and confidentiality
- Sufficient knowledge on the subject
- Appropriate technical, financial, Public Procurement expert knowledge and experience
- Consensus
- Evaluation Report to the awarding body (CCAB/CAC)

Principles of public procurement

1. Value for money
2. Anti-corruption
3. Integrity
4. Conflict of interest
5. Transparency
6. Confidentiality
7. Fair competition

Medium value procurement EC members		
Details	Number	Organization
Scoring chairperson	1	PE
Secretariat	1	PE
Scoring members	2	Relevant with the tender
Advisors - non scoring members may also be invited		
High value procurement EC members		
Details	Number	Organization
Scoring chairperson	1	PE
Secretariat	1	PE
Scoring members	3	Relevant with the tender

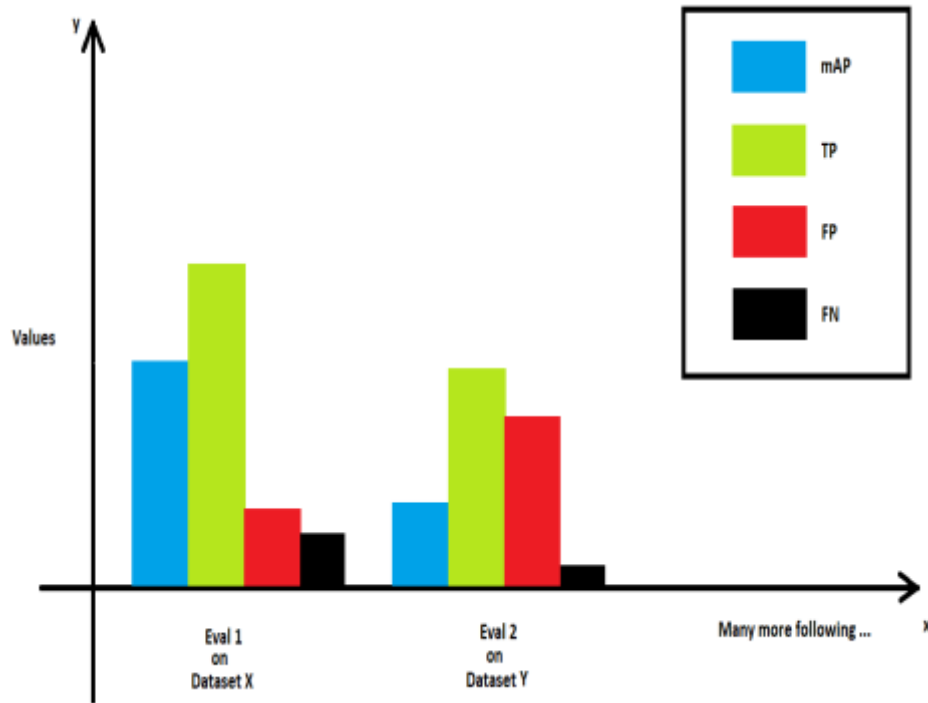
CAC: Contract Award Committee
CCAB: Central Contract Award Board

EVALUATION

- The most critical and important phase of the Public Procurement
- Cannot change the criteria that were defined and included
 - No new criteria
 - All have to be evaluated
 - In accordance with the defined evaluation criteria.
- Objective evaluation and scoring is crucial



EVALUATION



Evaluation process flow

■ ***The Tenderer***

1. Administrative criteria
2. Exclusionary criteria
3. Eligibility criteria

■ ***The Tender***

4. Minimum Technical requirements
5. Technical Evaluation criteria
6. Financial Evaluation criteria
7. Value for Money Evaluation conditions

ADMINISTRATIVE CRITERIA

- Received on time
- To the right place
- Complete
- Duly signed
- Right form (e.g. 2-envelope, marking, etc.)



EXCLUSION CRITERIA



Mandatory

- Subject to a judicial or administrative decision, with final and binding effect, concerning the breach of its obligations on the payment of taxes or social security contributions;
- Subject to a conflict-of-interest situation or in any other condition that prevents the impartiality of the process;
- Listed in the UN Sanctions list or sanctioned by any Donor; or
- In any other circumstance as established in the Invitation to Tender.

EXCLUSION CRITERIA (CONT'D)

Mandatory requirements – verified

- Criminal activities
 - Participating in criminal organisations
 - Corrupt practice
 - Fraud on expenditure or revenue reporting
 - Terrorist offences or activities
 - Money laundering
 - Child labour/trafficking

Possible exclusion – proportionality

- Professional misconduct
 - Violation of environmental or social obligations
 - Violation of competition rules
 - Breach of intellectual property rights
- Demonstrate
 - Non-fulfilment of payment of taxes or social security contributions
 - Poor previous performance – own or other references
 - [continued on next slide]

POSSIBLE EXCLUSION CRITERIA (CONT'D)

Exclusion Criteria



- Environmental, social and labour law provisions
 - ILO and other Conventions
- Bankruptcy or insolvency
- Probable grave professional misconduct
- Distorting competition/collusion
- Conflict of Interest
- Previous engagement in preparation providing significant advantages
- Previous termination, liquidated damages, etc., due to poor performance
- Serious misrepresentation of information
- Trying to influence the decision or to obtain confidential information creating undue advantage

ELIGIBILITY CRITERIA

Fulfil minimum technical, professional and financial capacity requirements, proof of previous experience, such as:

- Suitability to pursue the professional activity
- Economic and financial standing
- Technical and professional ability



TENDER REQUIREMENTS

The Tenders are to be evaluated in stages:

1. Mandatory technical criteria
2. Scored Technical criteria
3. Financial criteria
4. Merging the Technical and Financial Evaluation results



MANDATORY TECHNICAL CRITERIA



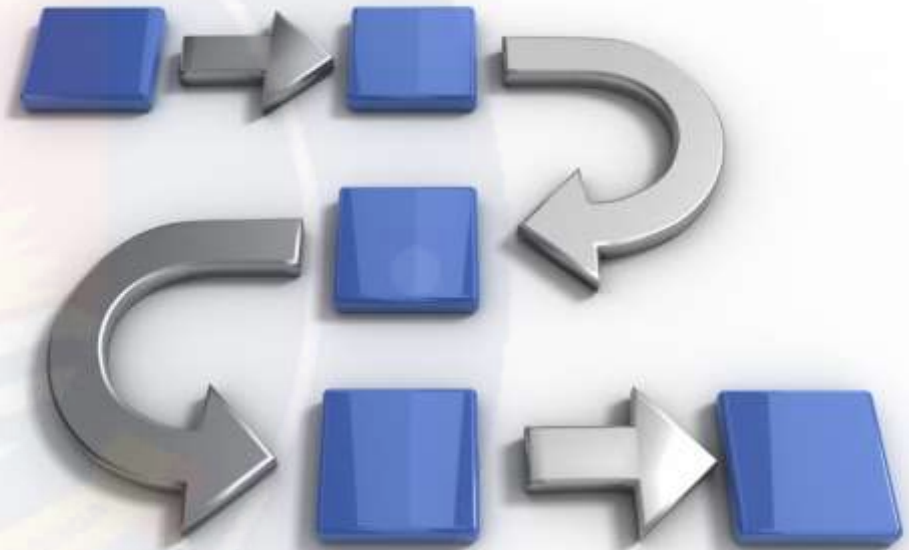
- The minimum technical requirements that the Tender must fulfil
- Defined in the Specifications or Terms of Reference
- If any of the defined criteria is not fulfilled the Tender is rejected
- A Tenderer may be requested to clarify whether a minimum criterion is fulfilled

EVALUATION OF THE TECHNICAL CRITERIA (EXAMPLE)

Major Criteria	Details & Sub-Criteria	Possible Score
Firm/consortium's experience and reputation with similar supply of Works	• The proposal clearly highlights the contractors experience relevant to the required construction • Valid operational license • Business registration	30
Team composition and qualifications of proposed personnel	• Contractor's references provided • Employee's CVs and certificated for plumbing, electrical, carpentry, painting, and external works	40
Methodology	• Methodology demonstrates how the contractor will achieve the target deliverables • Timeline for completing the construction work	30
Total Possible Technical Score		100

EVALUATION PROCESS

1. *Individual evaluations*
2. *Compilation of evaluations*
3. *Technical Evaluation meeting*
4. *Request for clarifications (if needed)*
5. *Finalisation of Technical Evaluation*
6. *Opening of Financial Tenders*
7. *Merging Technical & Financial components (VFM Evaluation)*



INDIVIDUAL EVALUATIONS



- Independent assessment
- No communication with other members of the Evaluation Committee
- Each criterion to be scored with a justification
- Unclearities to be listed
- Submitted to the secretary of the Evaluation Committee at least 2 days before the meeting
- Committee Secretary compiles all individual evaluations

COMPILATION OF TECHNICAL EVALUATIONS



- Average score calculated per criteria
- Major discrepancies highlighted
- Unclarities highlighted
- A summary score for each Tender
- Distributed to the evaluators before the meeting
- Of course – extreme confidentiality

TECHNICAL EVALUATION MEETING

- On the scheduled date
 - To secure full participation
- Coordinated by the Chairperson
- Secretary takes notes
- Full attendance – noted
- First discuss unclarities
- Formulate request for clarification from Tenderers if still unclear, with response date
- Discuss the differentiating scores
 - Very important and useful enhancement of the evaluation
 - Open mindset, respect for each other – new insights
- Allowed to modify scores
- New version of the compiled evaluation sheet (original remains unchanged)
- If need for Tenderer clarifications – meeting adjourned, new date agreed a few days after the response date
- New meeting to verify, discuss the clarifications and update the scores
- Final consolidated version of the evaluation sheet attached to the Evaluation Report by the secretary of the meeting



REQUEST FOR CLARIFICATIONS



- Evaluation Committee secretary sends to relevant Tenderers
- Sufficient time to respond depending on complexity
- Compile responses and send to the Evaluation Committee members
- No response = disqualified (clarify in the request), but check why (miscommunication?)

FINANCIAL EVALUATION

- Open the Financial Tenders, if applicable, by 2 Public Officers (1 from CPU)
- Secretary of Evaluation Committee (PEPO) prepares spreadsheet
- All costs included (LCC)
- Financial Evaluation Committee verifies and highlights possible unclarities
- Meeting adjourned if unclarities
- Requests for clarifications submitted to Tenderers
- Responses included and sent to the Evaluation Committee (no response = disqualified)
- New meeting to finalise the Financial Evaluation
- PEPO merges the technical and financial evaluation results into an aggregated spreadsheet, in accordance with the formula in the ITT, and the Financial Evaluation Committee verifies the result (by consensus)



VALUE FOR MONEY EVALUATION

- The aggregated spreadsheet is submitted as an annex to the Evaluation Report to the CPO before being sent to the relevant Award Board/Committee (CCAB/CAC)
- This final aggregation of technical and financial evaluations represents the best Value for Money – providing that these parameters were correctly set from the beginning
- For instance
 - If the financial weight is too high, it may result in a cheap but also not technically fully satisfactory Contract or Framework Agreement
 - If the financial weight is too low, the result may be a technically very good solution, however at a very high cost



CONTRACT AWARD PROCEDURE

- Inform all who submitted a Tender
- The outcome of the evaluation
- Enabling clear understanding for being unsuccessful, reducing risk of complaints
- No signing of Contract/FWA for at least 14 calendar days or until final settlement
- Inform:
 - Evaluation Committee
 - Central Procurement Unit
 - Procuring Entity



AWARD LETTER

Without delay, in writing, at the same time to all participating Tenderers and include the following:

- The reference of the Public Procurement (as was in the Invitation to Tender)
- The date of the Award
- The name of the awardee
- The value of the Contract/FWA
- The evaluation summary (annex to the Evaluation Report)
- Information on the Tenderer's right to complain
- The address where to submit a complaint
- The last date for receipt of a complaint
- The possibility of a debriefing



CENTRAL CONTRACT AWARD BOARD (CCAB)



High-Value Procurement (HVP)

- The SFED, to coordinate the work and to act as Chairperson;
- The Senior Procurement Officer as a secretariat;
- The Office of the Attorney General;
- The NEPO;
- The Procuring Entity, normally the Secretary of the Ministry or the CEO of an SOE or similar from a statutory corporation, **who has not participated in the Evaluation Committee recommendation**
- A member from the MCIC and a member from the PSO shall be invited to form a part of the Central Contract Award Board (not obliged to participate)
- External experts may be invited, without partaking in the decision
- A representative from the Evaluation Committee may be invited to present the Evaluation Report

RESPONSIBILITIES OF THE CCAB MEMBERS

Member	Responsibility
▪ Chairperson ▪ Office of the Attorney General ▪ National Economic Planning Office ▪ Procuring Entity ▪ Secretary from CPU ▪ Ministry responsible for Commerce ▪ Ministry responsible for Public Service	▪ Coordinate and lead the meeting, sign the Award Letter ▪ Contracts do not expose the GoK to excessive risks, Standard Contracts used ▪ Budget approved and sufficient and other development advices. ▪ Budget available, Contract represents the real needs ▪ Support the Chairperson in preparing and coordinating the meeting, take minutes, draft the Award Letter ▪ In line with fair competition and that the awardee fulfils the mandatory legal requirements for a firm, development of domestic firms ▪ General responsibility towards the public for the services of the Government of Kiribati

CONTRACT AWARD COMMITTEE (CAC)



Medium-Value Procurement (MVP)

- A PEPO, with the responsibility to coordinate the work and to act as Chairperson;
- A representative from the Procuring Entity in the quality of budget owner or equivalent, which would normally be the Secretary of the Ministry or the CEO of an SOE or similar from a statutory corporation, **who has not participated in the Evaluation Committee recommendation**
- At least one representative from another relevant Procuring Entity, besides the Ministries responsible for Commerce and Public Service, preferably a Procuring Entity which is involved in the project or will benefit from the effects of the Contract; and
- The Senior Procurement Officer, with the role of Secretary of the Committee
- A member from the MCIC and a member from the PSO shall be invited to form a part of the Central Contract Award Board (not obliged to participate)
- External experts may be invited, without partaking in the decision
- A representative from the Evaluation Committee may be invited to present the Evaluation Report

COMPLAINTS PROCEDURE (WHEN, HOW, ON WHAT, AND TO WHOM???)

Complaint Handling



- Formal procedure
 - The Public Procurement process
 - The Contract or Framework Agreement Award
- Handle seriously and with respect
- Useful feedback from the market
- Increased trust

What to complain about???

1. PUBLIC PROCUREMENT PROCESS

- Unfair, non-proportional ITT
- Too short Tender time
- Wrong procedure
- Other issues with the process
- The evaluation and award

10 calendar days before tender closing date



What to complain about???

2. CONTRACT AWARD DECISION

- Unfair award decision
- Awarding contract to non-compliant or unqualified tenderers
- Bribery influencing contract awards
- Collusion between tenderers
- Awarding contracts at significantly higher prices than market rate
- No justifications provided for unsuccessful tenderers

14 calendar days after receipt of award notification



Too late: not considered

COMPLAINTS PROCEDURE: TO WHOM???

Complaints Procedure



MVP: Medium Value Procurement (\$10k to \$50k)
HVP: High value procurement (\$50k and above)
PCB: Procurement complaint board
CPO: Chief procurement officer (i.e, Secretary of MFED)

1. Complaints on the process

- To the Procuring Entity, and if still not satisfied, appeal
- To the Chief Procurement Officer
 - final decision for both MVP and HVP procedures

2. Complaints on the Award

- To the Procuring Entity, and if still not satisfied, appeal
 1. MVP to the CPO – final decision
 2. HVP to the PCB – final decision

PROCUREMENT COMPLAINTS BOARD (PCB)

Semi-permanent Board

Appeals to HVP complaint

Composed of at least the following:

- Permanent Secretary of the Ministry of Finance
 - chairperson and coordinating the work
- Attorney General
- Permanent Secretary or a high-level representative from the management board of the Procuring Entity
- The Senior Procurement Officer
 - To provide a reasoned opinion
 - Not participating in the final decision



CONTRACT MANAGEMENT



- Specific contract conditions signed
- Contract implementation
- Both parties' obligations under the contract
- Understanding terms and conditions
- What to do in case of disputes or non-performance

CONTRACT MANAGEMENT

- Change management
- Contract Amendments
 - Signed in accordance with the DOA
- Notices & requests in SCC
- M&E procedures in place
 - Check delivery times
 - Possible indexes
 - Billing & payment
 - Risk factors
- Feedback to the Service Provider, Consultant or Contractor on performance
- Follow-up meetings (at instalment dates or checkpoints)
- Performance Evaluation Report to the CPU





QUESTIONS?



INTRODUCTION TO SUSTAINABLE PUBLIC PROCUREMENT

3 pillars of sustainable development



What is Sustainable Public Procurement or SPP?

Quote from United Nations Environment Programme (UNEP)

*“Public procurement wields enormous purchasing power, accounting for an average of 12 percent of gross domestic product (GDP) in OECD countries, and up to 30 percent of GDP in many developing countries. Leveraging this purchasing power **by promoting public procurement practices that are sustainable, in accordance with national policies and priorities, plays a key role in achieving Sustainable Consumption and Production (SDG 12) and in addressing the three pillars of Sustainable Development.**”*



SUSTAINABLE DEVELOPMENT GOAL NO. 12



SDG 12: Ensure sustainable consumption and production patterns.

SDG target 12.7: Promote public procurement practices that are sustainable, in accordance with national policies and priorities.

SDG indicator 12.7.1: Number of countries implementing Sustainable Public Procurement policies and action plans.

Quoted from the 2030 Agenda (SDG)

Planet

We are determined to protect the planet from degradation, including through sustainable consumption and production, sustainably managing its natural resources and taking urgent action on climate change, so that it can support the needs of the present and future generations.



SDG GOAL NO. 12: QUOTED FROM THE 2030 AGENDA

Goal 12. Ensure sustainable consumption and production patterns

12.1 Implement the 10-Year Framework of Programmes on Sustainable Consumption and Production Patterns, all countries taking action, with developed countries taking the lead, taking into account the development and capabilities of developing countries

12.2 By 2030, achieve the sustainable management and efficient use of natural resources

12.3 By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses

12.4 By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment

12.5 By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse

12.6 Encourage companies, especially large and transnational companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle

12.7 Promote public procurement practices that are sustainable, in accordance with national policies and priorities

12.8 By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature

12.a Support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production

12.b Develop and implement tools to monitor sustainable development impacts for sustainable tourism that creates jobs and promotes local culture and products

12.c Rationalize inefficient fossil-fuel subsidies that encourage wasteful consumption by removing market distortions, in accordance with national circumstances, including by restructuring taxation and phasing out those harmful subsidies, where they exist, to reflect their environmental impacts, taking fully into account the specific needs and conditions of developing countries and minimizing the possible adverse impacts on their development in a manner that protects the poor and the affected communities



HOW TO PROMOTE PUBLIC PROCUREMENT PRACTICES THAT ARE SUSTAINABLE IN KIRIBATI

PUT WORDS INTO ACTION

Act
(Parliament)

Regulations
(Cabinet)

Manual
(CPO)

PROCUREMENT LEGAL FRAMEWORK (EFFECTIVE DATES)

Name of legal Framework	Effective dates
Public Procurement Act 2019	5 th December 2019
Public Procurement Regulations	12 th May 2020
Public Procurement Manual	9 th March 2021 (published)

Procurement Amendment Bill was signed on the 19th of May 2021

Procurement Regulation 5 clarifies on Value for money such that, “PEs shall always ensure VfM through effective, efficient and economic use of resources and evaluation of relevant costs and benefits, along with an assessment of risks and life cycle costs, such as and (environmental sustainability (such as energy efficiency and environmental impact)”, etc....



BACCKROUND ON SPP INITIATIVES IN KIRIBATI

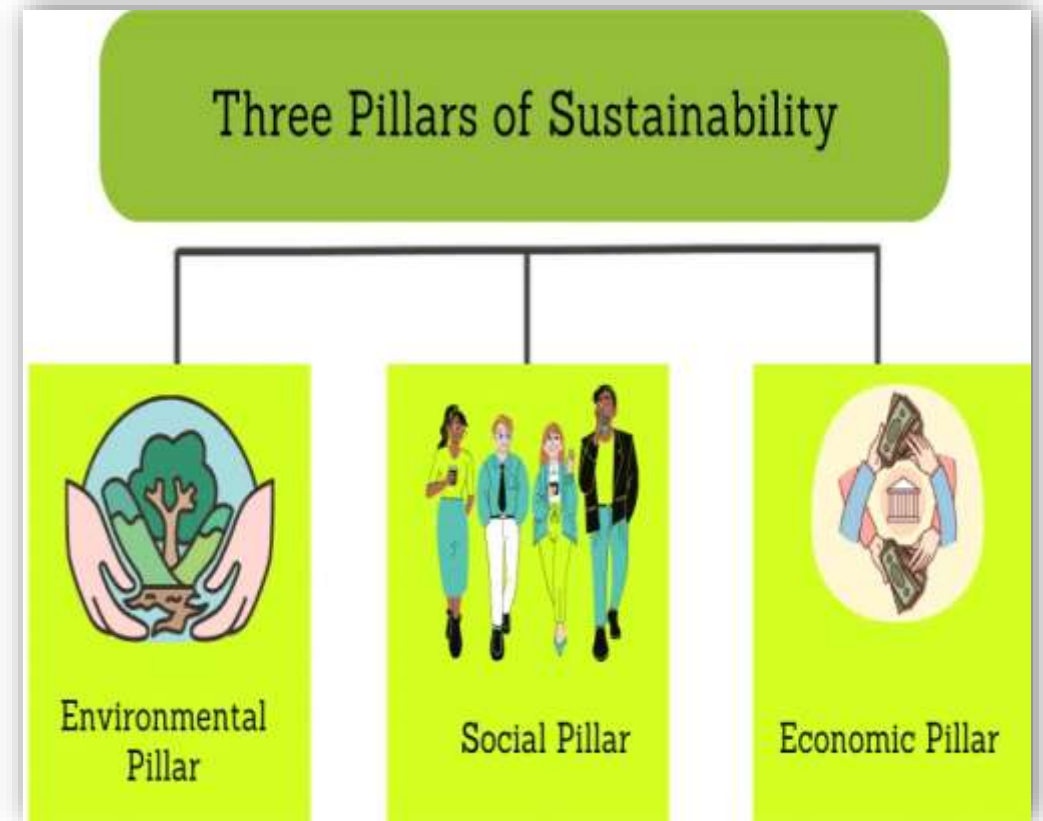
- Project for SPP on electrical appliances was financed by NZMFAT
- Commenced from 2022 to 2024
- International TA: Sven Erik Hargeskog
- Local TA: Kireua Bureimoa

Outcomes includes

1. Development of the guidelines for sustainable criteria for procuring energy and electrical appliances.
2. Mission reports monitored by GGGI PM Ross Craven.



PROMOTE PROCUREMENT PRACTICES THAT IS SUSTAINABLE



KAM BATI N RABWA



Promoting Sustainable Procurement Activity



ACTIVITY/GAME

- TBC!!!

