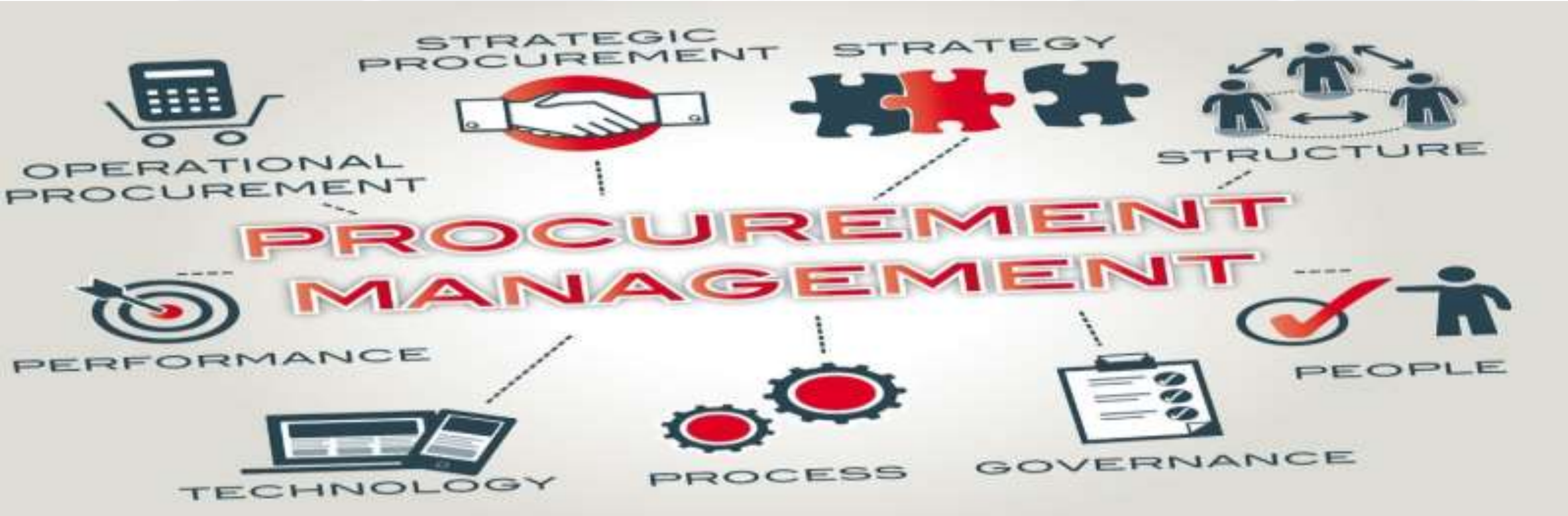
PUBLIC PROCUREMENT TRAINING

By Central Procurement Unit,

Ministry of Finance & Economic Development

DAY 2: 19/02/2025
PUBLIC SECTORS ENGAGEMENT IN GOVERNMENT PUBLIC PROCUREMENT

EMPOWERING PUBLIC SECTORS TO EFFECTIVELY AND EFFICIENTLY MANAGE PUBLIC PROCUREMENTS



CONTENT:

1. What is Public procurement
2. Types of procurement
3. Procurement methods.
4. Exceptions of Procurement pursuant to Procurement Regulations
5. Principles of the Public procurement.
6. Procurement' threshold
7. How to do procurement (procurement cycle).
8. Preparing invitation to tender.
9. Introduction to Sustainable public procurement

Tiibaua

Falatiu

Baauea

Ereta

CENTRAL PROCUREMENT UNIT (CPU) – ORG STRUCTURE

SPO Ereta Turaki

Established in June 2018

PO Baauea

PO Tiibaua

PO Falatiu

PO Tamauea

SPO: Senior Procurement Officer
PO: Procurement Officer

WHAT WE DO AT CPU:

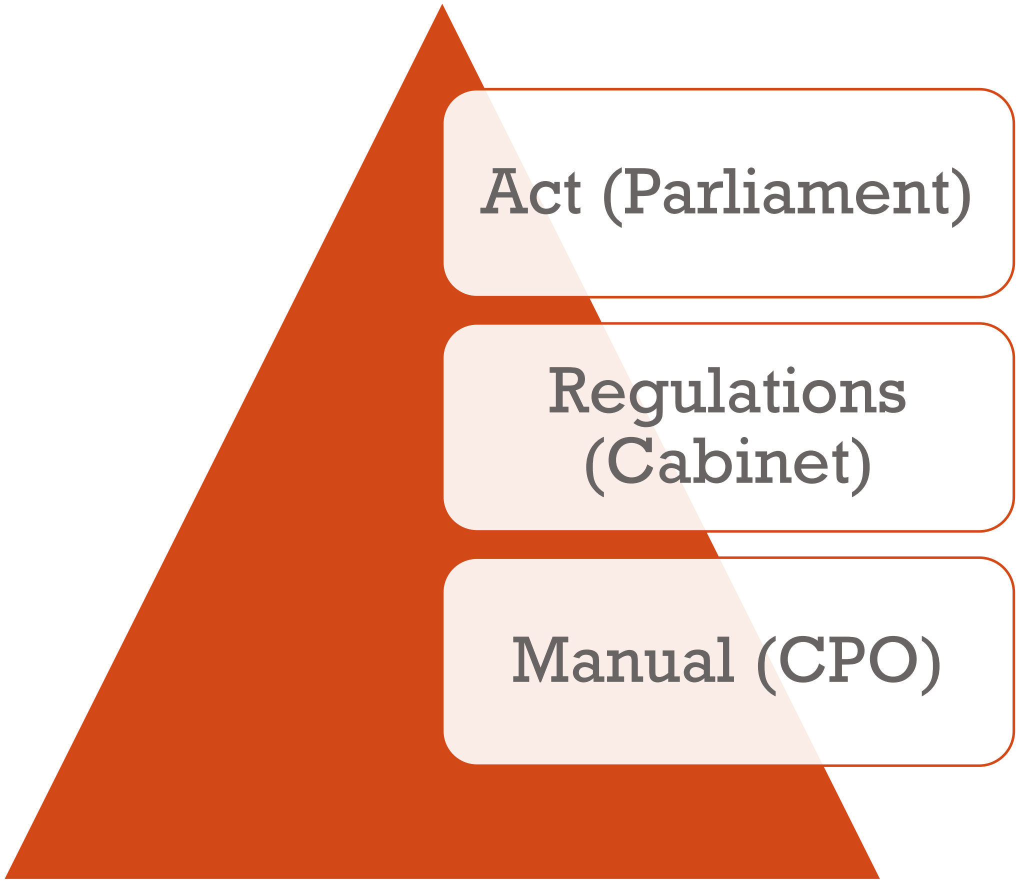
- Ensure compliance to the public procurement legal framework
- Support public sector development through provision of technical support
- Assist Government organizations managing public procurements to ensure achievement of ‘value for money’ for GoK tenders
- Training support to the public and private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

PROCUREMENT LEGAL FRAMEWORK (EFFECTIVE DATES)

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

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

THE LEGAL FRAMEWORK



* Including Donor funded

- Act: all encompassing*, still
  - Lean (16 pages)
  - Clear
    - Legal certainty
    - Process flow structure
  - International best practice, but…
  - Tailored to Kiribati
- Regulations = more specific
  - Explanatory (36 pages) implementing the Act
  - Incl. DOA & PE's subject to the rules (ref. SOE Act)
  - Consecutive, process oriented
- Manual = process guidance
  - Detailed (~150 pages)
  - + Model Documents (ITT, Standard Contracts, etc.)
  - Workflow-based instructions
  - Regular updates; examples, experience, clarifications

LEARNING OUTCOMES:

- Understanding the cruciality of planning and early engagement of CPU in all procurement activities
- Increasing compliance to the public procurement legal framework
- How to do public procurement from A to Z at an operational level
- Consequences of non-compliance to the public procurement legal framework are well clarified
- Teamwork increased between different and relevant organizations for the betterment of GoK procurement management
- Strengthened central support by CPU and cooperation between PEs

OBJECTIVES OF PUBLIC PROCUREMENT

- To achieve the key public procurement principles
- To achieve '***Value for Money***'
- For implementation of Part VII (Misconducts)
- Complaints handling
- To ensure successful public financial management
- To improve public procurement through well-functioning, clear and understandable rules and procedures
- To promote sustainable public procurement

► Procuring Entities (PEs) support in fulfilling the following objectives ◄

FOR COMPLIANCE TO THE PUBLIC PROCUREMENT LEGAL FRAMEWORK

WHAT IS PUBLIC PROCUREMENT

Definition under Section 3 of the Procurement Act 2019

- The acquisition (i.e, buy, rent and lease) 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

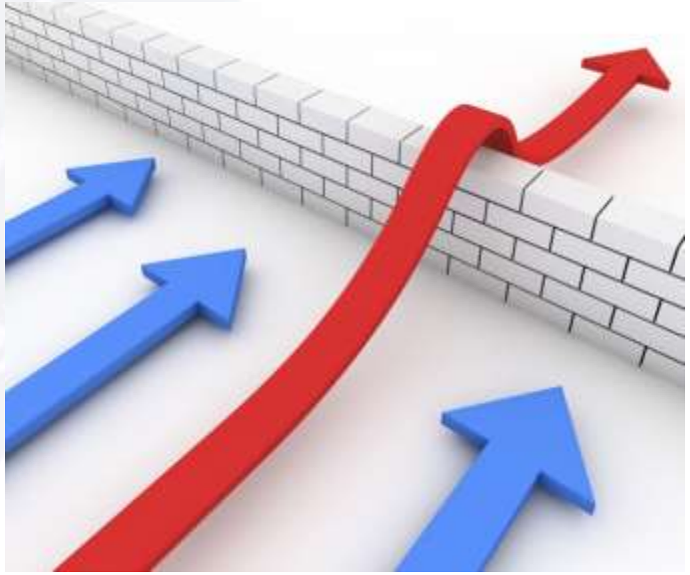
- Open competitive procedure
- Pre-qualification procedure
- Limited competitive procedure
- Single source procedure
- Framework agreement

OPEN COMPETITIVE PROCEDURE

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

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



PREQUALIFICATION REQUIREMENTS

- Information which Goods, Services or Works will be subject to an ITT
- The required information to be submitted
- The respective deadline and methodology for submission
- The exclusion and qualification criteria for the eligibility to receive the Invitation to Tender
  - Minimum financial & technical requirements
  - Proportional & not discriminating
- Confidentiality declaration, if relevant
- The intended timeline for an Invitation to Tender

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 (pre-approval)
- Post-approval by the awarding authority

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

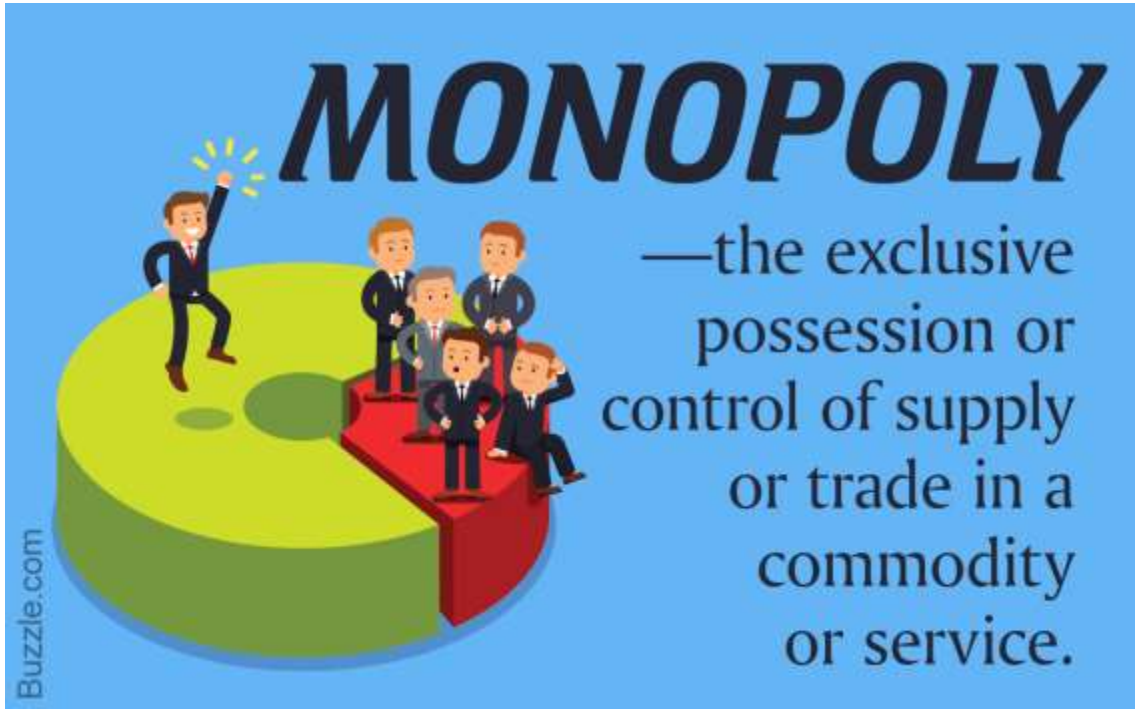
MONOPOLY

Examples of arguments where SSP is <u>not</u> justified:

- "We don't think anyone else has this solution"
- "We don't have the time to investigate other alternatives"
- "We have been buying from this firm for a long time and are satisfied with the quality"
- There was no proper Market Assessment

Examples where SSP <u>may</u> be justified:

- A new medicine is patented and can only be supplied by one supplier and there are no generic drugs available yet
- Proprietary software where the features have no alternative suppliers
- To prevent monopolising the market



EXTREMELY URGENT SITUATIONS

Examples of arguments where SSP is not justified:

- "The budget needs to be spent before the end of the fiscal year"
- "We received new funding or budget"
- It was not included in the Annual Procurement Plan, which due to this created an urgency
- Poor planning creating an urgency

Examples where SSP may be justified:

- We have an outbreak of a disease which needs new types of medicine, or the existing medicines will not be sufficient
- The power plant broke down and we don't have the type of spare parts and/or the qualifications to repair it

EXTREMELY CRITICAL SITUATIONS

Examples of where SSP is <u>not</u> justified:

- Where Extremely urgent situations ("sudden onset") applies

Examples where SSP <u>may</u> be justified:

- A ship is at distress at sea
- An aeroplane has made an emergency landing or crashed
- A typhoon, earthquake, tsunami or similar and sudden natural disaster is on its way or has already hit the islands

CRITICAL

A sudden event – "sudden onset" – that may

- Impact the normal functioning of the community
- Endanger human lives or create major disasters
- In accordance with the *Disaster Risk Management and Climate change Act 2019:
  - Sudden onset: 'disasters for which there is little or no warning, including storms, fires, air and sea craft incidents'

That requires immediate action from the public authorities

The Disaster Controller, as defined in the Act*, may initiate any action necessary to prevent the danger or limit the effects

PROTECTION OF NATIONAL SAFETY AND SECURITY

- Examples of where SSP is <u>not</u> justified:
  - Standard Goods, Services or Works that any Procuring Entity may buy
  - Uniforms, gas masks, police cars, patrol boats, fire extinguishers, etc.
- Examples where SSP <u>may</u> be justified:
  - Security services for sensitive buildings, systems or transports
  - Defence material – weapons, air defence systems

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ADDITIONAL DELIVERIES

Supplementary deliveries as a partial replacement or an extension

- A change of Supplier, Service Provider, Consultant or Contractor would result in
  - Different technical characteristics
  - Incompatibility
  - Disproportionate technical difficulties in operation and maintenance
  - Unreasonable additional costs
- Unforeseen addition or replacement
- The value of the addition to or extension shall not exceed
  - 30% for Goods or Standard Services
  - 50% for Consulting Services or Works

EXCEPTIONALLY ADVANTAGEOUS CONDITIONS

Examples of where SSP is not justified:

- An unsolicited offer which is not clearly below the market price
- An unsolicited offer which is below market price but will render a lock-in effect for the Procuring Entity

Examples where SSP may be justified:

- An Economic Operator has been doing Works on one island and is offering to sell the used machines or equipment at a fair price, to avoid the cost of shipment back to the original destination
- A Supplier of Goods goes bankrupt or enters into liquidation and sells out its stock at a reduced price

FRAMEWORK AGREEMENT

- A Framework Agreement is an agreement executed between one or more Procuring Entities and one or more Economic Operators, for a defined selection and volume of Goods, Services or Works, establishing the terms and conditions governing Suborders to be Awarded during an agreed period of time.
- To be approved first by CPO
- Duration- 2 years and a possible extension of 1 additional year on the same terms and condition
- Validity of framework agreement- limit to the scope and quantity of allowable goods that would be procured via framework agreement. Once, the quantity, value or time limit has been reached, the Framework agreement shall be expired and a new agreement should be initiated.
- 2 types- single and multiple framework agreement.

TYPES OF FRAMEWORK AGREEMENT

- Single framework agreement

- Concluded with one Economic operator for a specified type of goods, services or works.

- PE shall submit a suborder for every new procurement to be delivered within the scope, terms and conditions specified in the Framework Agreement, without the requirement for a separate tendering procedure.

- Multiple framework agreement

- Concluded with more than one Economic Operator.

- Parties of the Framework agreement shall take place to identify economic operator offering the best value for money, within defined terms and conditions in the Framework Agreement for each suborder.

-

EXCEPTIONS FROM THE RULES (REGULATION 3)

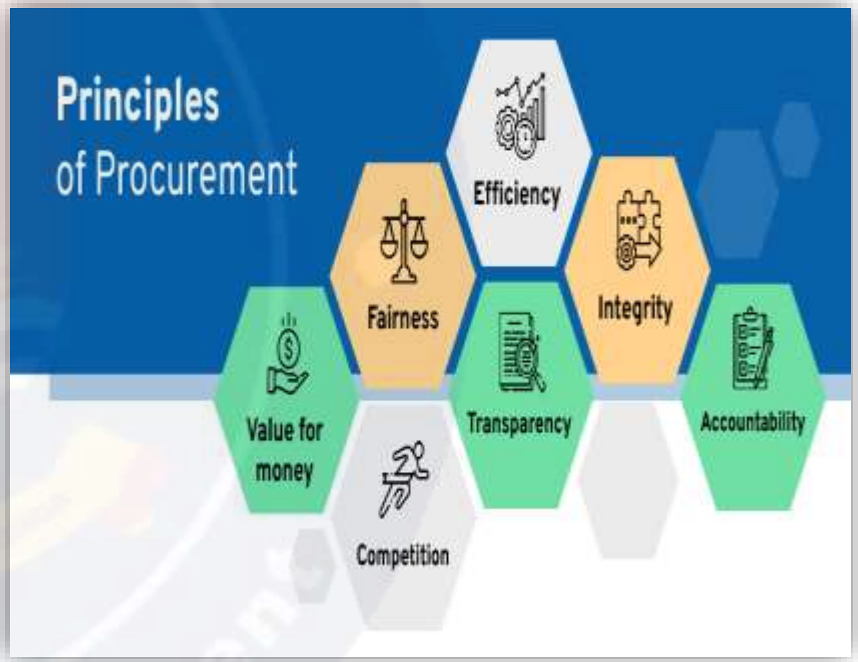
- Public employment contracts
- Projects financed by International Donors (not transferred into Kiribati Public Funds)
- Procurement subject to international treaties
- Bilateral agreements between the Government of Kiribati and foreign public entities or authorities
- Gifts, donations and any form of unconditional grants
- Goods, Services or Works for use outside of Kiribati
- Financial investments, loans and guarantees
- Regulatory fees, permits or other public or mandatory fees
- Purchasing or renting of land or existing buildings or other immovable property
- Travel expenses, that are regulated in the Travel Policy

Still public funds (tax money) they remain subject to aforesaid Principles of Public Procurement:

QUESTIONS?

Principles of public procurement

1. Value for Money
2. Anti-corruption
3. Integrity
4. No conflict of interest
5. Transparency
6. Confidentiality
7. Fair competition



WHAT IS VALUE FOR MONEY (VFM)???

Section 4(1) of Procurement Act 2019 definition:

Procuring Entities, including public officers executing public procurement are under the obligation to ensure that public funds are used in the most efficient and effective manner possible taking into account the purpose and objective of the procurement activity and, when possible, the protection of the social considerations of the people of Kiribati.

1. VFM considerations (Going green/sustainable)

- Fitness for purpose
- Reliability of Tenderers – past performance, stability, etc.
- New and innovative solutions
- Environmental sustainability – energy efficiency, environmental impact, etc.
- Transportation, storage
- Operational costs
- Maintenance and service
- Depreciation
- Disposal – recycling, deposit, demolition, dismounting, destruction, etc.
- Delivery time
- Payment terms
- Technology transfer, counter-trade, domestic content and engagement, etc.

EXAMPLE: PROCUREMENT OF WINDMILL

- Windmill serve the purpose of the public needs (i.e, water and energy supply)
- References of tenderers show positive performance
- New and innovative solutions
- Environmental sustainability
- Terms of delivery
- Operational costs
- Maintenance and service
- Technology transfer (domestic preference)

2. ANTI-CORRUPTION (CORRUPTION FREE ZONE)

Corruption can also exist in public procurement. How to fight it???

Section 4(2) of the Procurement Act 2019 defines key roles and responsibilities of public officers engaged in public procurement such that;

- (a) Any officer who willfully engages in corrupt practices when involved in the execution of public procurement shall be subject to prosecution as established by the Penal Code
- (b) to ensure that tenderers are not engaged in any corruption, the PEs shall include in the ITT an obligation for tenderers to sign a written declaration on anti-corruption and criminal activities. (Refer to certificate of compliance form template)
- (c) PEs shall suspend public procurement if they suspect or become aware of corrupt practices. In case a contract is awarded and in course of implementation when corrupt practices are uncovered, PEs shall terminate the contract.
- (d) a public officer shall report any suspected corrupt practices or any suspicious behavior of the OAG and KAO

Examples of Corruptive activities (Misuse and misappropriation of public funds)

Bribery

Embezzlement

Abuse of discretion

Theft and fraud

2. Anti-corruption. Consequences of corruption

You do corruption??? You will face consequences

- International Donors may seize funding
- Trust with the public will be eroded
- Criminal or administrative misconduct (dishonesty)

2 LEVELS OF MISCONDUCT

1. **ADMINISTRATIVE MISCONDUCT**

- A procurement officer who fail to comply with one or more provisions of the public procurement as established in the Act and Regulation, is liable for administrative misconduct and subject to disciplinary actions as outlined in the Kiribati National condition of services or the like.
- If intentional, it may constitute a criminal misconduct.

LEVELS OF MISCONDUCT

Corruption is a criminal misconduct

2. Criminal Misconduct

- Provide, offer, solicit or accept
  - anything of value for a direct or indirect benefit
  - for the purpose of influencing or attempting to influence Public Procurement
- Intimidating, coercing, harming or causing harm (physically, financially, or otherwise) to any natural or legal person
  - for the purpose of influencing Public Procurement




WHAT ARE THE CONSEQUENCES OF MISCONDUCT

Criminal Misconduct

- Penal Code
  - Fine
  - Possibly even prison

Administrative Misconduct

- Disciplinary actions
  1. Loss of salary
  2. Reduction of professional responsibilities
  3. Permanent removal from position
  4. Dismissal from public service

WHO ARE WHISTLEBLOWERS?

As early as possible, to correct and minimise consequences

- All public officers = whistle-blowers*
- Audits (KAO, MFED-IA)
- The public (taxpayer's)
- Tenderers
- Media
- International Donors

*Report to the CPO who may initiate investigation

Then to the OAG if reasonably suspected and other responsible authorities

3. INTEGRITY

Section 4(3) of the Procurement Act 2019 states that;

- The essence of holding a public office is the duty to uphold dignity and independence, to execute tasks and responsibilities with a strong sense of commitment toward the public interest and to refrain from taking decisions affected by self-interest. Respect of the Law, respect of the people and the general public and guaranteeing economic and efficient processes are mandatory elements of integrity

3. INTEGRITY IN PUBLIC PROCUREMENT

- *Rejecting any practice which might reasonably be deemed improper*
- *Never using my authority or position for my own financial gain*
- *Declaring to my line manager any personal interest that might affect, or be seen by others to affect, my impartiality in decision making*
- *Ensuring that the information I give in the course of my work is accurate and not misleading*
- *Never breaching the confidentiality of information, I receive in a professional capacity*
- *Striving for genuine, fair and transparent competition*
- *Being truthful about my skills, experience and qualifications*

4. CONFLICT OF INTEREST.

- Section 4(4) of the Procurement Act 2019 states that
- (a) any public officer executing public procurement shall avoid situations that put his/her impartiality at risk. Public officers shall immediately declare any possible incompatibility with other positions and any possible personal interest in tenders or personal or family connection with tenderers that are part in public procurement.
- (b) to ensure that tenderers are not subject to any conflict of interest, the PEs shall include in the ITT an obligation for tenderers to sign a written declaration that they are not in any conflict of interest (refer to certificate of compliance form)

4. CONFLICT OF INTEREST

A situation that may impact the impartiality. Kiribati, as a small nation, is more likely to encounter CoI by relations

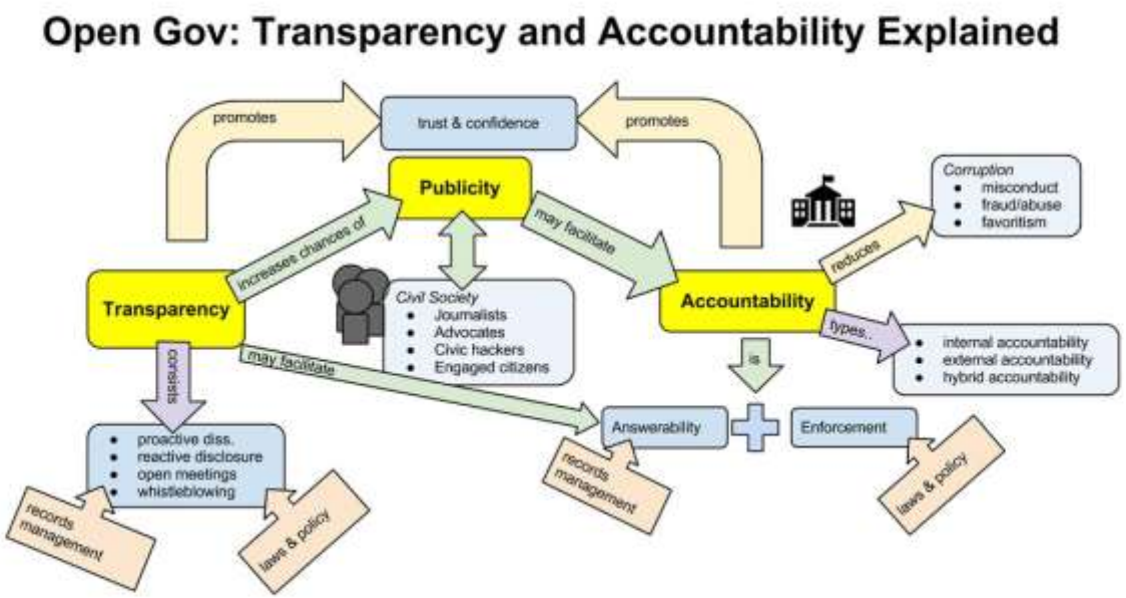
- Procuring Entities
  - The specification
  - Evaluation or award of Tenders
- Economic Operators/Tenderers
  - Participation in preparation of specifications/TOR
  - Asymmetric information

5. TRANSPARENCY

Section 4(5) of the Procurement Act 2019 states that;

- Public procurement policies, procedures, decisions and documents shall be made available to the general public, to ensure openness and clarity, except in the case of information of a confidential nature, which shall not be published, as further detailed in the Regulations

5. TRANSPARENCY & OPENNESS



- General public = taxpayers
- Media
- International Donors
- Tenderers, to preclude suspicion
  - Standard = Open Competitive Procedure
- Fair competition

Kiribati Public Procurement Web Portal, illion tenderlink and others.

http://procurement.gov.ki/

6. CONFIDENTIALITY

Section 4(6) of the Procurement Act 2019 states that;

- Public officers executing public procurement shall act in respect of the principles of confidentiality by protecting information that needs to remain private, in line with the procedures established by the Regulations

6. CONFIDENTIALITY

- During preparation of ITT
  - No leaks
- During Tender period
  - Only Q&A equal to all Tenderers
- During Evaluation
  - Only one-on-one clarifications
- After award until Contract signed, except
  - to Tenderers on Evaluation results
- Post Contract (Trade & Business secrets)
  - Very restrictive
- Public safety
  - Pre-commitment before receiving ITT

7. FAIR COMPETITION

Section 4(7) of the Procurement Act 2019 states that;

- Public procurement shall promote fair competition. Public procurement shall not be made with the intention of artificially narrowing competition or unduly favoring or disadvantaging certain economic operators

7. FAIR COMPETITION

- Equal treatment
  - Same information at the same time
- Non-discrimination
  - No preferences
- Proportionality/Relevance
  - Only relevant needs
- Objectivity
  - Neutral, real and objective needs
- Open & transparent
  - Clear and foreseeable
- No criminal convictions accepted
  - E.g. money laundering (=lower cost)

THRESHOLD OF PUBLIC PROCUREMENT

I. Very Low Value Procurement – VLVP
II. Low Value Procurement – LVP
III. Medium Value Procurement – MVP
IV. High Value Procurement – HVP

ANNEX I –DELEGATION OF AUTHORITY

PUBLIC PROCUREMENT THRESHOLDS	
CATEGORY OF PUBLIC PROCUREMENT	THRESHOLD VALUES (AUD)
VERY LOW VALUE PROCUREMENT – VLVP	0-999
LOW VALUE PROCUREMENT – LVP	1.000-9,999
MEDIUM VALUE PROCUREMENT – MVP	10.000-49,999
HIGH VALUE PROCUREMENT – HVP	50,000>

VERY LOW VALUE PROCUREMENT (VLVP)

- Procurement which are less than $1,000.
- Using the Requisition form to find quotation from at least 3 suppliers
- Approved from Senior Responsible Officer (Secretary or CEO)

1st step

Requisition form

Filling in the requisition form regarding procurements that are less $1,000 - at least 3 suppliers

2nd step

Approved

The approved of the recommendation will be done by the SRO (or CEO) and proceed with payment

LOW VALUE PROCUREMENT (LVP)

- The procurement cost is less than $10,000 which is between $1,000 to $9,999
- The procurement process will include the Request for Offer (RFO) template
- Tendering process took 15 calendar days (from when tender is published until closed)
- The procurement for this threshold will be within the Procuring Entity
  - Advertising and launch of the tender
  - Tender opening and tender evaluation will be held within the Procuring Entity
  - The winning supplier will be approved by the SRO
  - Tender summary for LVP and signed contract is required as a supporting document for payment

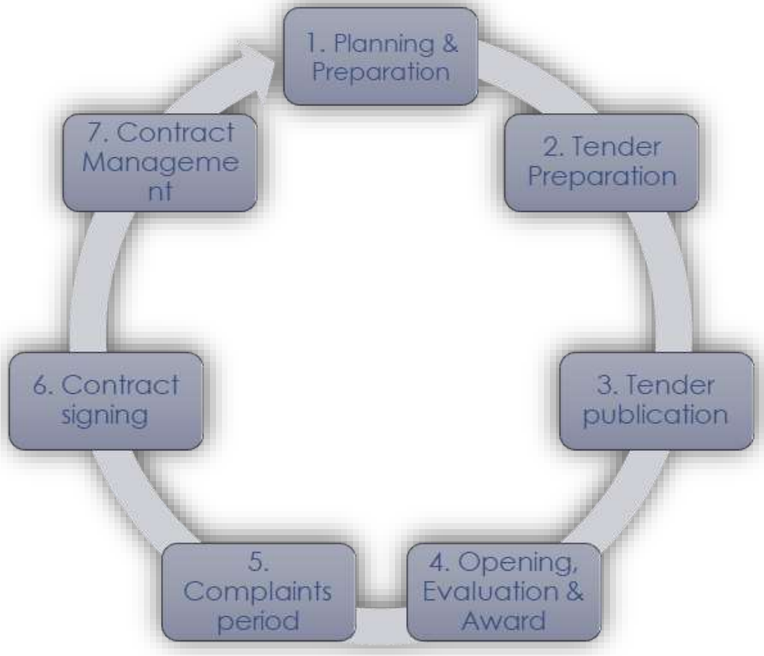
1	2	3	4	5
Filling in the RFO template	Advertising and launching of the RFO - on facebook page	Tender opening and tender evaluation	Winning supplier to be approved by SRO	Filling in the tender summary for LVP to proceed with payment

HOW TO DO PUBLIC PROCUREMENT FOR (MVP & HVP)

1. APP Forecast
2. Budget & APP Approval
3. Procurement Approval
4. ITT Approval
5. Tendering process
6. Technical Evaluation
7. Financial evaluation & report
8. Award
9. Standstill
10. Contract signing
11. Contract management

APP: Annual procurement plan
ITT: Invitation to Tender templates

1. ANNUAL PROCUREMENT PLAN



Section 6 of the Procurement Act 2019 states;

- 1) As part of the budget process, before each new fiscal year, each PE shall provide to the CPU a forecast of its expected public procurement needs for the following fiscal year
- 2) Following budget approval, the CPU shall consolidate the PEs approved public procurement requests and publish an APP
- 3) In case there are adjustments needed to the procurement requirements of a PE following budget approval, the APP may be updated during quarterly budget reviews

PE: Procuring Entity
CPU: Central Procurement Unit
APP: Annual Procurement Plan

APP TEMPLATES

Microsoft Excel Worksheet

Procurement Forecast 2025 - GOODS

Procurement Code (CPU to provide)	Procuring Entity	Goods (Description)	Number of items	Budget Code	Approved Budget 2025	Estimated Contract value (AUD)	International or Local Supplier	Procurement method (OCP, LCP or SSP)	Funding Source (Donor/GoK)	Schedule for each Procurement Activity				Remarks
										Tender publication	Tender opening	Notice of Award	Contract signing	
	MFED	Minibus	2			$50,000	Both	OCP	GOK	3/1/2025	3/26/2025	4/2/2025	4/16/2024	

Procurement Forecast 2025 - Consulting SERVICES

Procurement Code (will be defined by CPU)	Procuring Entity	Description of service	Firm or Individual	International or Local Consultant	Budget Code	Approved Budget 2025	Estimated contract value (AUD)	Funding Source (Donor/GoK)	Procurement method (OCP/LCP/SSP)	Schedule for each Procurement Activity				Remarks
										Tender publication	Tender opening	Notice of Award	Contract signing	
	MFED	TA for Reviewing Procurement Framework	Both	Both or either one			$50,000	ADB	OCP	3/1/2025	3/26/2025	4/2/2025	4/16/2024	

Procurement Forecast 2025 - Standard SERVICES

Procurement Code (will be defined by CPU)	Procuring Entity	Description of service	International (I) or Local Service Provider (L)	Budget Code	Approved Budget 2025	Estimated contract value (AUD)	Funding Source (Donor/GoK) OR (D/G)	Procurement method (OCP, LCP, SSP)	Schedule for each Procurement Activity				Remarks
									Tender publication	Tender opening	Notice of Award	Contract signing	
	MFED	Security	Local			$50,000	GOK	OCP	3/1/2025	3/26/2025	4/2/2025	4/16/2024	

Procurement Forecast 2025 - WORKS

Procurement Code (will be defined by CPU)	Procuring Entity	Construction (Description)	Project Site	Budget Code	Approved Budget 2025	Estimated Contract value (AUD)	International (I) or Local Contractor (L)	Procurement method (OCP, LCP or SSP)	Funding Source (Donor/GoK) or (D/G)	Schedule for each Procurement Activity				Remarks
										Tender publication	Tender opening	Notice of Award	Contract signing	
	MFED	Construction of toilet	Bairiki			$20,000	Local	OCP	GOK	3/1/2025	3/26/2025	4/2/2025	4/16/2024	

IMPORTANCE OF APP

- No procurement plan is like driving with no map on a strange country.
- More and better tender.
- Achievement of Value of Money
- Avoiding unnecessary or panic buying before the closing account.
- Resource optimization
- Complying with the National Procurement framework and so forth.

Section 5 of the Procurement Act 2019 states;

1. Public procurement shall not be initiated unless public funds are specifically and completely allocated and approved.

2. Public funds provided or made available under a Contract shall be used only within the scope of and for the purposes specified in such contract

2. TENDER PREPARATION

- Choose the correct procurement methods
- Consider tender times (tender period)
- Letter of invitation to be signed by SRO upon finalization
- Ensure all ITT templates are completed including correct tender evaluation criteria

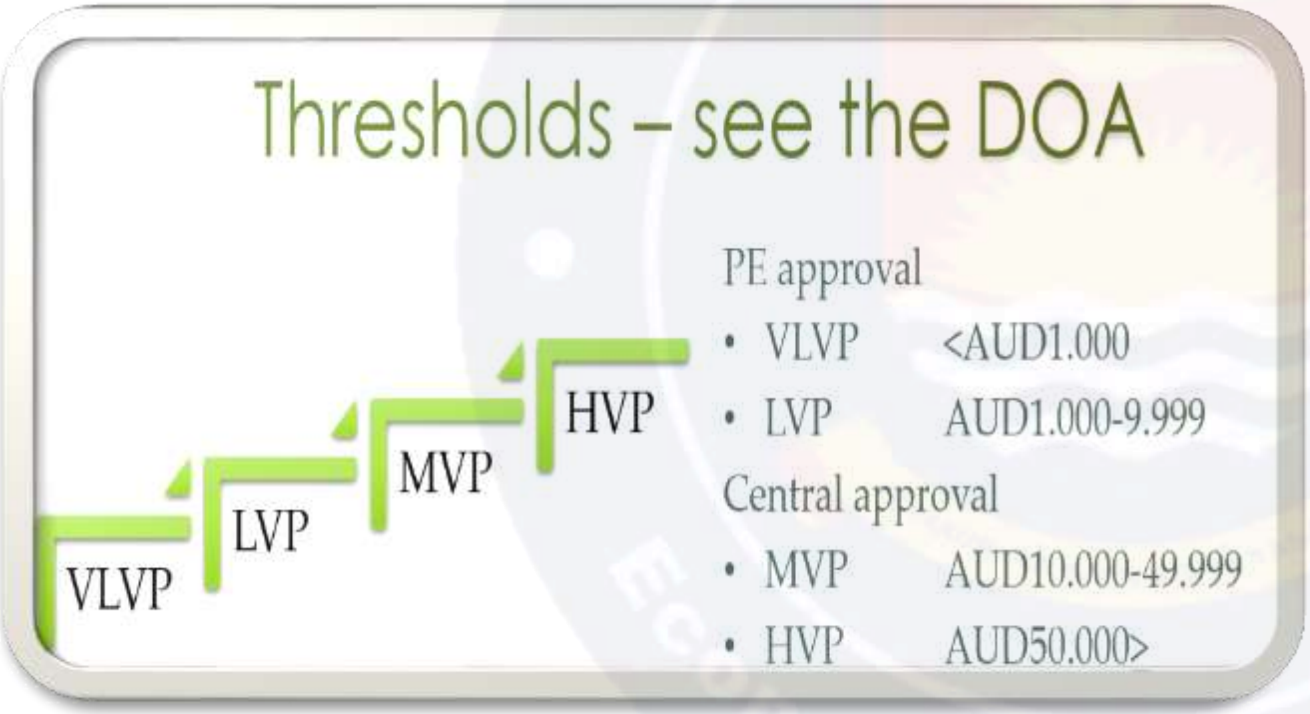
3. TENDER PUBLICATION

- www.procurement.gov.ki (Procurement National Portal)
- Illion TenderLink: New portal for tender publications Welcome To Kiribati Ministry of Finance and Economic Dev E-Tendering

4. Tender opening, evaluation and award

1. Received tenders will be opened by CPU and tender opening Committees
2. Evaluation of qualified tenders will be evaluated by the evaluation committee. Appointment of members of the evaluation committee will be done by the SRO of the PE
3. For HVP, at least 5 members will form part of the evaluation committee. For MVP, at least 4 members will participate
4. Award: 2 awarding authorities. For MVP: Contract Award Committee, For HVP: Central Contract Award Board

EVALUATION PROCEDURE



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

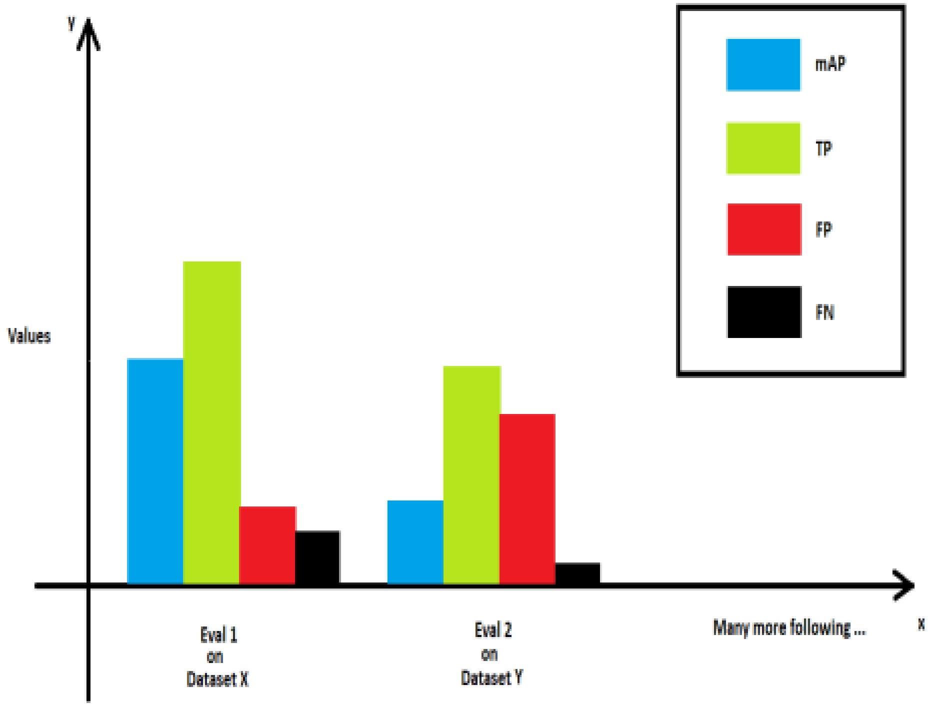
Medium value procurement EC members		
Details	Number	Organization
Scoring chairperson	1	PE
Secretariat	1	PE
Scoring members	2	Relevant with the tender
Advisors - non scoring members may also be invited		
High value procurement EC members		
Details	Number	Organization
Scoring chairperson	1	PE
Secretariat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

- 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 1)

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 OF THE TECHNICAL SPP CRITERIA (EXAMPLE 2)

Example of criteria for air conditioners[2]

Criteria	Feature	Metric	Description	(1) Weighting	(2) Points	Scoring (1) x (2)
	Technical Specifications		*Must be an inverter type split AC*	*Minimum Criteria*		
Technical Performance	*Energy efficiency*	*Energy Efficiency Ratio (EER)* *Seasonal Energy Efficiency Ratio (SEER)* *Coefficient of Performance (COP)*	*Minimum criteria: current MEPS or highest Energy Efficiency Class* *Bidder must provide product description / documentation of SEER/EER and results from certified testing laboratory* *Example of assessment points:* *SEER < 5 = 0 points* *5 < SEER < 7 = 1 point* *SEER > 7 = 2 points*	*20%*		
	Reliability	*Warranty*	*lubricant and materials compatibility, service life*	*10%*		
	Air filter		*Indoor units must be fitted with air filters that can be easily cleaned*	*Minimum Criteria*		
Life Cycle-Cost Performance	*LCC*		*Including costs of purchase, installation, repair and maintenance, operation and uninstallation*	*20%*		
	Ecolabel		*Ecolabel must be nationally recognized*	*10%*		
Environmental Performance	*Refrigerant used*	*GWP of Refrigerant*	*AC systems are to be procured, if possible27 with natural refrigerants.* *Bidder must provide information on GWP and ODP of contained refrigerant. Refrigerants restricted under the Montreal Protocol (CFCs & HCFCs) are forbidden.* *Example of assessment points:* *GWP > 700 = 0 points* *10 < GWP < 700 = 1 point* *GWP < 10 = 2 points*	*10%*		
	TEWI/LCCP	*CO_2eq.*	*Bidder must provide all relevant data on refrigerant type, charge size and EER*	*25%*		
	Noise emissions	*Decibel*	*Noise emissions must be stated in the product documentation*	*5%*		

EVALUATION OF THE TECHNICAL SPP CRITERIA (EXAMPLE 3)

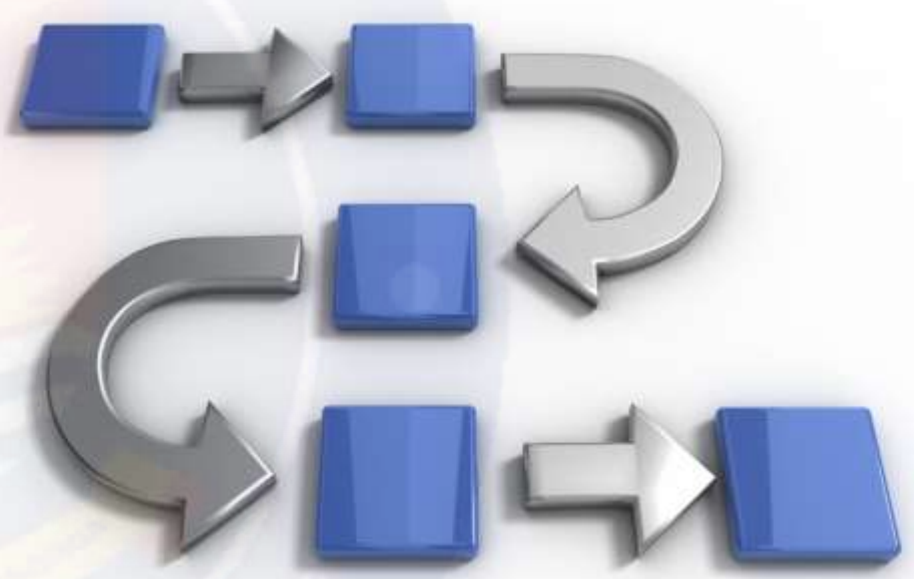
Summary of refrigerant specifics (UNEP 2017)

For information, these are the common refrigerants and their specifics:

Refrigerant	R22	R410A	R32	HFC/HFO blends35	R290
GWP36	1,760	1,924	677	150-300	3
Refrigerant Efficiency	High	Low	High	Medium	High
Refrigerant Cost37	Low/Medium	Medium/High	Medium	High	Low
ISO 817 Safety Classification	A1 – lower toxicity and non-flammable	A1 – lower toxicity and non-flammable	A2L – lower toxicity and lower flammability	A2L – lower toxicity and lower to higher flammability	A3 – lower toxicity and higher flammability
Environmental controls and use restrictions	Globally subject to HCFC phaseout	Sectoral use capped and/or subject to subsector bans in some countries due to GWP	No ban for ACs. Substance is subject to controls under MP / KA	No ban for ACs. Substance is subject to controls under MP / KA	No ban

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
- Unclarities 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 Procurement Officer from the CPU as Secretary of the Board, without participation in the decision
- 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

- Chairperson
- Office of the Attorney General
- National Economic Planning Office
- Procuring Entity
- Secretary from CPU
- Ministry responsible for Commerce
- Ministry responsible for Public Service

Responsibility

- Coordinate and lead the meeting, sign the Award Lette
- Contracts do not expose the GoK to excessive risks, Standard Contracts used
- Budget approved and sufficient
- 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

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

- 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

"The alarm didn't go off, my car wouldn't start, missed the bus, my back's aching, haven't had a raise in two years ..."

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???

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

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)

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

6. Contract or FWA Finalization and signing

- Contract or FWA finalised by the Procuring Entity, including updated Specification or TOR, delivery and payment schedules, etc., and details of the Economic Operator
- Internal review
- Review and signing by the Awardee
- Signing by the proper authorities (DOA) – available? OIC?
- Start-up/establishment time

7. Contract Management

- PM: Compliance check (continuous)
- Failure by (EO)
  - Action (PM)
  - Update of Contract (CM) and/or
  - Remedies (CM)
- Amendment requested (PM or EO)
  - Review
  - Escalation to CM
- Contract Amendment (CM)
- CM continuously trained

PM: Project manager
EO: Economic Operator
CM: Contract manager

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?

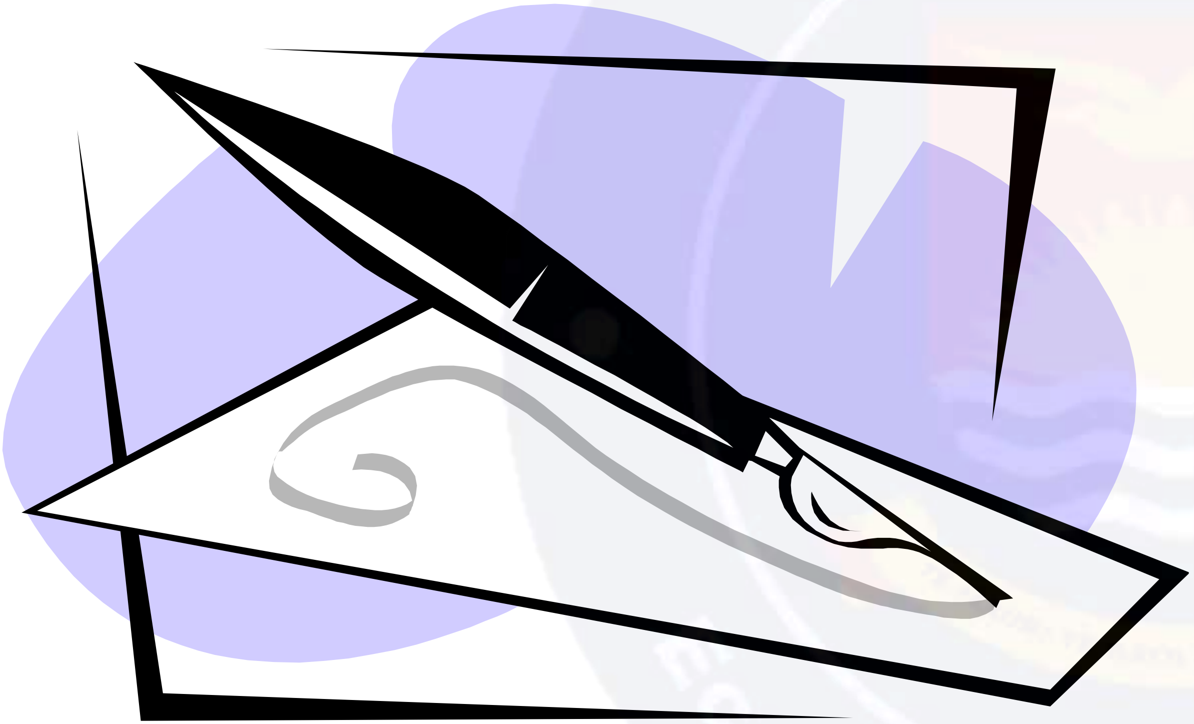
PREPARING AN INVITATION TO TENDER

A set of Model Documents for ITT – RFQ, RFP, RFO*

- Invitation letter
- Instructions on submission
- Time schedule – PE
- Specifications or Terms of Reference – PE
- Evaluation criteria and model – PE
  - Technical Evaluation form – PE
  - Financial Evaluation form (not always) – PE
- Draft Contract
- Certificate of Compliance form

** RFO is not all above – only invitation & contract*

INVITATION TO TENDER



- **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	Date and time, KST*
1.	Launch and publication of RFP	[Procuring Entity]	
1.	TOR presentation**	Tenderer	
1.	Last date for questions about RFP	Tenderer	(17:00)
1.	Last date for answers to question s and/or to amend the RFP	[Procuring Entity]	
1.	Last date for submission of Propo sals	Tenderer	(17:00)
1.	Proposal presentation***	Tenderer	
1.	Evaluation finalized	[Procuring Entity]	
1.	Award of Contract	[Procuring Entity]	
1.	Contract Terms and Conditions	[Procuring Entity]/Tenderer	
1.	Contract signing	[Procuring Entity]/Tenderer	
1.	Contract/Project start date	Tenderer	

- 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

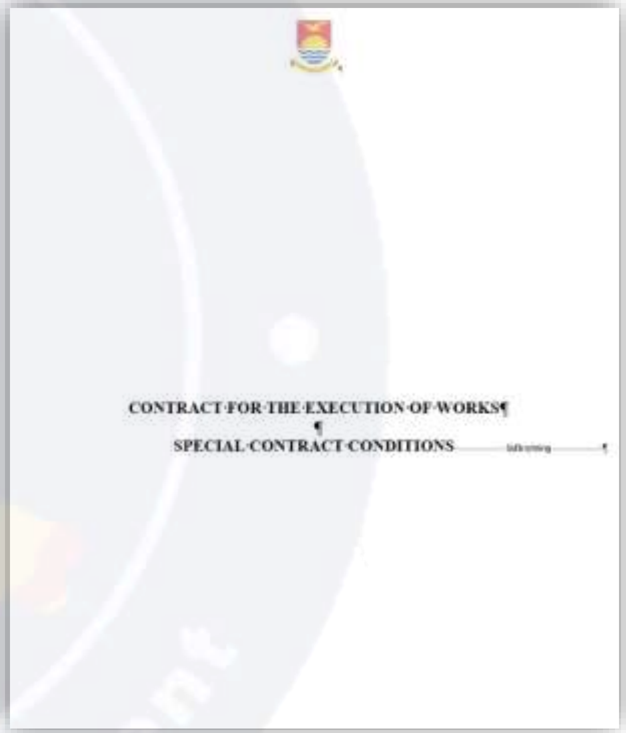
- Describes the criteria and weighting that will be evaluated
- Defines the evaluation model
- Defines the weight between the technical and financial components
- May disclose the maximum budget available
  - To avoid receiving Tenders that exceed the budget, leading to cancellation
  - Risk: Tenderers 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.***

TECHNICAL & FINANCIAL EVALUATION FORMS

- May be used if feasible and useful when it is expected that the Tenders may look very different in structure, to ascertain that all requirements are included and to make it easier and more efficient to evaluate
- Tenderers shall use to specify their technical proposal for specified Goods, Services or Works
- For Consultancy Services – two documents
  - one for a narrative description of how the Tender complies and fulfils the TOR
  - one which requires an allocation of resources for the provision of the services

SPECIFIC CONTRACT CONDITIONS (SCC)

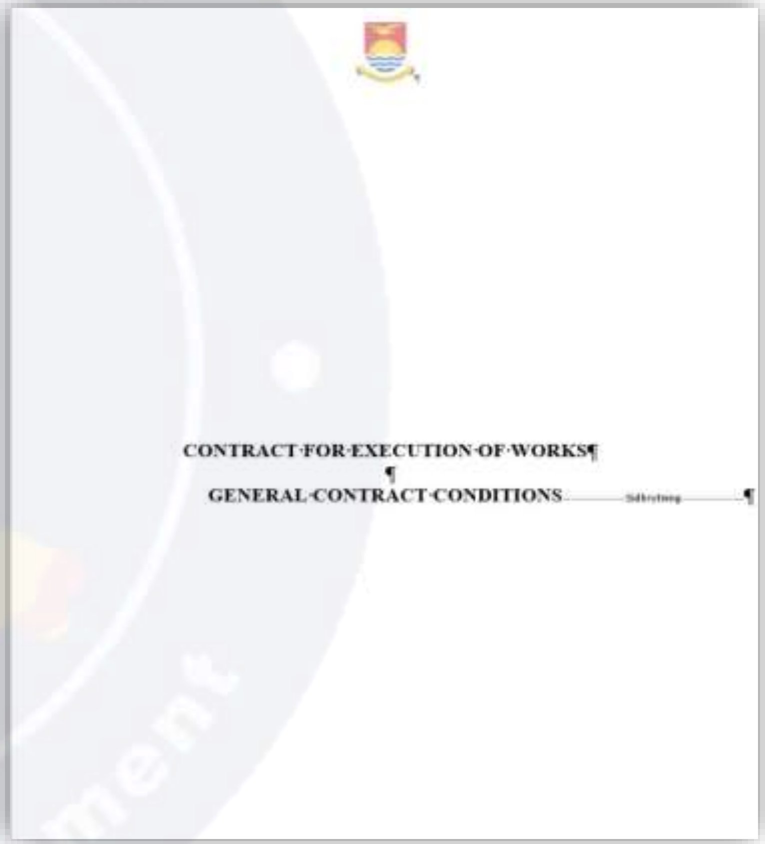
- Will be finalised when the Award is concluded (Word format)
- Information to be included in the Contract, e.g.:
  - Information on the parties, including formal addresses and contact details
  - Contract value
  - Payment terms
  - Effectiveness and duration of the Contract
- Three Annexes
  a) Conditions 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 EXECUTION OF WORKS

SPECIAL CONTRACT CONDITIONS

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 EXECUTION OF WORKS

GENERAL CONTRACT CONDITIONS

TIME FOR TENDER PREPARATION

- RFPQ minimum 20 calendar days
- RFP minimum 45 calendar days
- RFQ minimum 25 calendar days
- RFO minimum 15 calendar days

After RFPQ:

- RFP minimum 30 calendar days
- RFQ minimum 15 calendar days

Exceptional circumstances = CPO may decide to reduce the deadlines

RFPQ: Request for pre-qualification
RFP: Request for proposal
RFQ: Request for quotation
RFO: Request for offer

CONSEQUENCES OF TOO SHORT TENDER TIME

The time saving supposed at the beginning will presumably lead to losing a lot of time at the end of the process

- No Tenders
  - Reducing competition
  - Reopen the Public Procurement.
- Poor quality Tenders received
  - making evaluation difficult
  - requiring extensive requests for clarifications
  - equal treatment at risk
- Limits possibilities of forming cooperation's
- Suspicion with the Tenderers of 'rigged invitations' i.e. that a preferred supplier has already been decided
  - a 'display for the public', i.e. to formally claim that the rules have been followed
- Less Value for Money

CANCELLATION OF PUBLIC PROCUREMENT

Shall be

- Justified
- Approved in accordance with the Delegation of Authority
- Published

Circumstances

- Needs have ceased to exist or substantially changed
- Budget has been cancelled
- There is a reasonable suspicion of collusion, corruption, or other foul play

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

12 RESPONSIBLE CONSUMPTION AND PRODUCTION

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

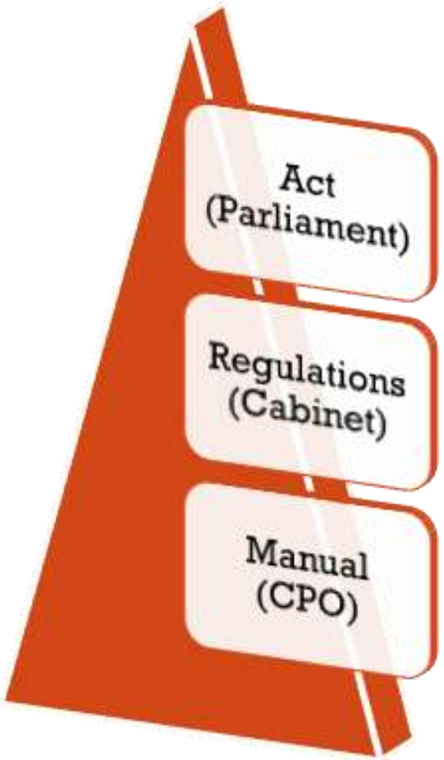
12.a Support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production

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 SUSAINABLE IN KIRIBATI

PUT WORDS INTO ACTION



PROCUREMENT LEGAL FRAMEWORK (EFFECTIVE DATES)

Name of legal Framework	Effective dates
Public Procurement Act 2019	5th December 2019
Public Procurement Regulations	12th May 2020
Public Procurement Manual	9th 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….

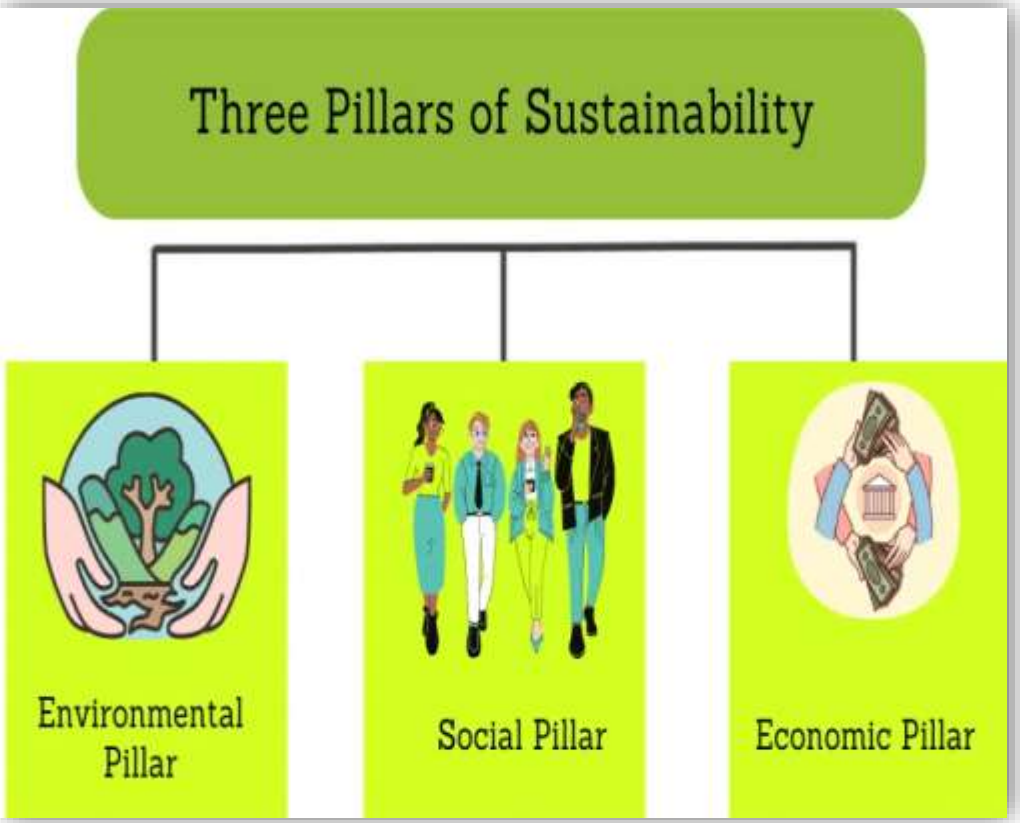
BACGKROUND ON SPP INITIATIVES IN KIRIBATI

- Project for SPP on electrical and energy 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


Any
questions
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