

28 August, 2024

Ref: PRAZ/D/U/2

Mr. L. Churu
Acting Town Clerk
CITY OF GWERU

RE: REQUEST FOR REVIEW BY THE SPECIAL PROCUREMENT OVERSIGHT COMMITTEE (SPOC): TENDER NO. COG/FA/01/05/2024 PROCUREMENT OF PLUMBING MATERIALS USING FRAMEWORK AGREEMENT AND SUBSEQUENT CALL-OFF CONTRACTS

Your minute dated 05 August 2024 refers.

At the Special Procurement Oversight Committee (SPOC) Meeting No.27 of 2024 held virtually on 22 August 2024, Members observed the following: -

- The Accounting Officer's procurement process was for the Procurement of Plumbing Materials using Framework Agreement and Subsequent call-off contracts;
- The tender was advertised in line with section 38 (2) of the Public Procurement and Disposal of Public Assets (PPDPA) Act [*Chapter 22:23*], and 1 bidder participated on the process;
- The sole bidder, Iravat Investments P/L, was non-compliant to the mandatory requirements since it submitted only two (2) instead of three (3) trade reference letters that were properly signed and stamped thus resulting in disqualification of the bidder.
- The Standard Bidding Document stated that the minimum number of bidders to be considered to conclude the Framework Agreement was five (5) and the maximum was ten (10), it is in line with this clause that the Accounting Officer recommended to cancel the tender due to non-responsive bids received in terms of section 42 (1)(d) of the PPDPA Act.
- The Accounting Officer was recommending to re-tender the above tender with a shorter bidding period of five (5) days.
- The Accounting Officer should be advised to conclude the current procurement process before embarking on a new procurement process in terms of section 14 of the PPDPA Act and note that the SPOC is not responsible for granting exemptions for shorter bidding periods.

Accordingly, the SPOC through SPOC RESOLUTION 0534 of 22 August 2024, having reviewed the Accounting Officer's submission in terms of section 54 (10) of the Public Procurement and Disposal of Public Assets (PPDPA) Act [*Chapter 22:23*], **RESOLVED** on Tender No. COG/FA/01/05/2024 as follows:-



SPOC RESOLUTION

SPOC Reference No & Date	Outcome	Accounting Officer's Award	Value (US\$)
SPOC 0534	<p>Certify</p> <p>Recommend</p>	<ul style="list-style-type: none"> • To the best of its knowledge and ability, that the Accounting Officer's proposed cancellation withstands scrutiny. • That the Accounting Officer can proceed to cancel Tender No. COG/FA/01/05/2024 for the Procurement of Plumbing Materials using Framework Agreement and Subsequent call-off contracts due to non-responsive bids received in view of section 42(1)(d) of the PPDPA Act. • That the procurement proceedings be recommenced, as follows: - <ul style="list-style-type: none"> ○ Debrief the bidders on the reasons for tender cancellation. ○ Review the process (<i>investigation into unsuccessful procurement proceedings</i>) in line with section 24 of the Public Procurement and Disposal of Public Assets (PPDPA) (General) Regulations. ○ Process the requirements in line with section 30 (<i>Selection of Procurement method</i>) of the PPDPA Act as read in conjunction with section 10 (<i>Financial thresholds</i>) of the PPDPA (General) Regulations. ○ Comply with all provisions of the PPDPA Act and Regulations on all future tenders. 	
22.08.24	<p>To order</p>		

You are therefore advised to proceed as follows: -

1. Take all necessary steps as directed by the resolution.
2. In all communications, please quote the above **SPOC RESOLUTION** number and the date.



C. Ruswa
Chief Executive Officer

PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE



**FOR AND ON BEHALF OF THE SPECIAL PROCUREMENT OVERSIGHT COMMITTEE
IN ACCORDANCE WITH SECTION 54 (3) OF THE PUBLIC PROCUREMENT AND
DISPOSAL OF PUBLIC ASSETS ACT [CHAPTER 22:23]**