

05 July, 2024

Ref: PRAZ/C/47

Mr. E. Matsvaire
Acting Chief Executive Officer
TOBACCO INDUSTRY AND MARKETING BOARD (TIMB)

RE: REQUEST FOR REVIEW BY THE SPECIAL PROCUREMENT OVERSIGHT COMMITTEE (SPOC): TENDER NO. TIMB/BM/011/2024 -FRAMEWORK AGREEMENT FOR THE PROVISION OF BUILDING REPAIRS AND MAINTENANCE SERVICES

Your minute dated 19 June 2024 refers.

At the Special Procurement Oversight Committee (SPOC) Meeting No. 22 of 2024 held on 04 July 2024, Members observed the following: -

- The Accounting Officer's procurement process was for a Framework Agreement for the Provision of Building Repairs and Maintenance Services.
- The Accounting Officer adopted the Framework Agreement method in line with section 21(2) and section 30 of the Public Procurement and Disposal of Public Assets (PPDPA) Act [Chapter 22:23], as read with section 11 of the PPDPA (General) Regulations whereby suppliers will be engaged through call-off orders on an "as and when required" basis for the Building Repairs and Maintenance Services.
- The Accounting Officer advertised the tender in line with section 38 (2) of the PPDPA Act and a sole bidder participated in the tender.
- Clause 1.18 on page 14 of 19 of the Standard Bidding Document indicated that the Framework Agreement will be a Closed Framework Agreement.
- The Accounting Officer was recommending to cancel the tender due to the fact that there was a sole response on the process whereas section 4 of the SBD indicated that there will be a minimum of three (3) suppliers and a maximum of five (5) suppliers required on the Framework Agreement.
- The Accounting Officer was recommending to cancel the tender due to non-responsive bids received and insufficient number of bids received in line with section 42 (1) (d) of the PPDPA Act.

Accordingly, the SPOC through SPOC RESOLUTION 0428 of 04 July 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. TIMB/BM/011/2024 as follows: -



TM
NWT

SPOC Resolution

SPOC Reference No & Date	Outcome	Accounting Officer's Award	Value
<p>SPOC 0428</p> <p>04.07.24</p>	<p>Certify</p> <p>Recommends</p> <p>Orders</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 proceed to cancel Tender No. TIMB/BM/011/2024 for the Provision of Building Repairs and Maintenance Services through Framework Agreement and subsequent call off contracts due to non-responsive bids received in line with section 42 (1) (d) of the PPDPA Act. • That the procurement proceedings be recommended, as follows: <ul style="list-style-type: none"> ○ Debrief the bidder on the reasons for tender cancellation ○ Review the process (investigation into unsuccessful procurement proceedings) in line with section 24 of the PPDPA (General) Regulations 2018; ○ Process the requirements in line with section 30 (Selection of Procurement method) of the PPDPA Act; ○ Comply with all provisions of the PPDPA Act and Regulations on all future tenders. 	<p>N/A</p>

NMT
TMA

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.



DP 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].**