

3 July, 2024

Mr. E. Matsvaire

Acting Chief Executive Officer

TOBACCO INDUSTRIAL MARKETING BOARD

RE: REQUEST FOR REVIEW BY THE SPECIAL PROCUREMENT OVERSIGHT COMMITTEE (SPOC): TENDER NO. TIMB/RFP/01/2024 - PROVISION OF HUMAN RESOURCES CONSULTANCY SERVICES

Your minute dated 11 June 2024 refers.

At the Special Procurement Oversight Committee (SPOC) Meeting No. 21 of 2024 held on 27 June 2024, Members observed the following: -

- The Accounting Officer's procurement process was for the Provision of Human Resources Consultancy Services using Framework Agreements and Subsequent Call-off Contracts.
- 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 consultants will be engaged through call-off contracts on an as and when required basis at varying prices.
- The Accounting Officer reported that Genesis Financial Corporation P/L did not quote prices and yet it was a requirement on summary of costs in the Standard Bidding Document page 17 of 24 and as such Genesis Financial Corporation P/L were not compliant with tender requirements.
- Precise Management and Research Consultancy did not quote on four items namely Employee Wellness, Staff Training and Development, Team Building Services and Property Management, and as such they were not compliant on those four areas.
- The Accounting Officer was recommending to cancel Tender No. TIMB/RFP/01/2024 for Provision of Human Resources Consultancy Services using Framework Agreements and Subsequent Call-off Contracts.
- Under Page 16 of 24, the Accounting Officer indicated that the Framework Agreement was a closed Framework Agreement.
- The Accounting Officer's Standard Bidding Document section 2 page 15 specified that the Framework Agreement was a closed Framework Agreement and the procuring entity intended to conclude Framework Agreements with a minimum number of 3 bidders and a maximum of 5 bidders, and yet only two bidders were compliant.

Accordingly, the SPOC through SPOC RESOLUTION 0401 of 27 June 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/RFP/01/2024 as follows: -



SPOC Resolution

SPOC Reference No & Date	Outcome	Accounting Officer's Award	Value (US\$)
SPOC 0402 27.06.24	<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 can proceed to cancel Tender No. TIMB/RFP/01/2024 for the Provision of Human Resources Consultancy Services using Framework Agreements and Subsequent Call-off Contracts due to insufficient bids received in line with section 42 (1) (d) of the PPDPA Act. • That the procurement proceedings be recommenced, as follows: - <ul style="list-style-type: none"> ○ Cancel the tender due to failure to have the minimum required number of three compliant bidders. ○ 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 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 PPDPA (General) Regulations on all future tenders. 	N/A

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.



PP

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].**