



**ESwatini Public Procurement Regulatory Agency
(ESPPRA)**

REQUEST FOR EXPRESSION OF INTEREST

FOR

SELECTION OF STANDING REVIEW PANEL MEMBERS

REFERENCE NUMBER: EOI/18/003

08th May 2019





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REQUEST FOR EXPRESSION OF INTEREST (EOI)
SELECTION OF STANDING REVIEW PANEL MEMBERS
RFP NUMBER: EOI/18/003

The Eswatini Public Procurement Regulatory Agency (ESPPRA) invites sealed Proposals from suitably qualified candidates to constitute the standing review panel for the Agency in line with section 50 of the Public Procurement Act No.7,2011.

The Agency seeks to engage suitably qualified members of high integrity of with demonstrable expertise and experience in Public Procurement or related field.

The proposal shall consist of a Technical Proposal, marked “**Technical Proposal – RFP/18/003**” and should be sealed one envelope: and addressed to “**Chief Executive Officer, Eswatini Public Procurement Regulatory Agency, Rhus Office Park, Karl Grant Street, Mbabane**”.

The Proposal must be deposited in the Tender Box situated in the **Eswatini Public Procurement Regulatory Agency offices, Rhus Office Park, Karl Grant Street, MBABANE** at the latest by **09:30 hours (Swaziland time) on the 24th May 2019**. Late proposals received by telegram, facsimile, email or similar medium will not be considered.

Requests for clarification, which must be in writing, should be addressed, via email, to ynxumalo@sppra.co.sz. The Agency will strive to promptly respond in writing via e-mail to any requests for clarification up until close of business on **the 15th May 2019**. Written copies of the Agency’s response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective Bidders.

For administrative and technical enquiries, please contact the Procurement Clerk- Ms. Yeyezile Nxumalo in writing at E-mail: ynxumalo@sppra.co.sz



TERMS OF REFERENCE

1. BACKGROUND

The Eswatini Public Procurement Regulatory Agency (SPPRA or “the Agency”) is an independent public enterprise established under section 9 of the Public Procurement Act of 2011 (the Act). Section 9(2) of the Act mandates the Agency to serve as an independent regulatory body, with responsibility for policy, regulation, oversight, professional development and information management and dissemination in the field of public procurement. Section 11(1) of the Act requires the Agency to have the competence, authority, power and responsibility to enforce the Act and public procurement regulations issued under the Act. In this regard, the Agency oversees all public procurement conducted by procuring entities and the scope of this oversight covers Government Ministries, Departments and Agencies, as well as category “A” public enterprises and Local Government Authorities / municipalities.

The Agency now seeks to engage and retain suitably qualified public procurement advisors/specialist with proven expertise and experience in public procurement law, including litigation in public and private sector enterprises and companies.

2. GENERAL OBJECTIVES

The Objective of this EOI is to acquire proposals from suitably qualified public procurement advisors of specialist for the subsequent selection and appointment to the Standing Review Panel as per the provisions of section 50 of the Public Procurement Act No.7, 2011.

3. SCOPE OF WORK

As per the provisions of section 50 read together with section 51 of the Public Procurement Act, No.7,2011, the Agency shall select from the Standing Review Panel members to constitute the Administrative Review Committee on a case by case basis. Their functions are enshrined in section 51 which *inter alia* provides that unless such case is dismissed, the Independent Review Committee shall;

- I. Immediately institute an investigation
- II. Issue a written decision, within fifteen working days after the submission of the application.
- III. In conducting its investigation, the Independent Review Committee shall have the power to;
 - a. Access any information, documents, records and reports in respect of any aspect of the procurement process subject to the investigation
 - b. Summon witnesses and examine witnesses and parties concerned.
- IV. The committee shall make a decision which shall state;



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- a. Whether the application is upheld, in whole or in part or dismissed;
 - b. The reasons for the decision; and
 - c. Any corrective measures that are to be taken or remedies ordered in accordance with section 52.

4. TIME FRAME

The appointment will be for a period of twenty-four (24) months and the Agency shall enter into a service level agreement with the successful candidates.

5. RENUMERATION

As per the provisions of section 50 (8) of the Public Procurement Act No.7,2011 The members of an Independent Review Committee shall be paid sitting allowance and travelling allowances as are paid to the members of the governing body of a category A, Group 1 public enterprise.

6. QUALIFICATIONS, KNOWLEDGE AND EXPERIENCE

- a) A Degree in Purchasing and Supply chain or Level 6 CIPS (or equivalent)
- b) Minimum five (5) years progressively responsible experience in Public Procurement, including supervisory responsibilities.
- c) Comprehensive knowledge of modern principles and practices of governmental procurement and supply-chain management.
- d) No direct or indirect personal involvement in public procurement functions during the period of their service on the standing review panel.
- e) Membership to a Professional body such as Chartered Institute of Procurement and Supply or Equivalent would be an added advantage

7. INSTRUCTIONS TO TENDERER

- Tenderer should submit the following required documentation;
 - Detailed CV
 - Certified copies of qualifications
- Submission deadline is Friday, 24th May 2019 at 09:30 am
- Proposals should be hand delivered at ESPPRA premises



8. EVALUATION CRITERIA

The Agency will consider the following factors when determining the most competitive proposals for Procurement Specialist: The minimum pass mark required to pass is 70%.

Criteria	Scoring Weighting
• Experience in Public Procurement or related field	25
• Evidence of qualifications, knowledge and experience	25

