

THE PUBLIC PROCUREMENT AND DISPOSAL OF
PUBLIC PROPERTY (SIMPLIFIED PROCUREMENT)
REGULATIONS, 2024

Arrangement of Regulations

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SCHEDULE 1—VERBAL QUOTATION FORM

LEGAL NOTICE NO. 65

REPUBLIC OF TRINIDAD AND TOBAGO

THE PUBLIC PROCUREMENT AND DISPOSAL OF
PUBLIC PROPERTY ACT, 2015

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 63 OF THE PUBLIC
PROCUREMENT AND DISPOSAL OF PUBLIC PROPERTY ACT, 2015,
ACT NO. 1 OF 2015, WITH THE AGREEMENT OF THE OFFICE OF
PROCUREMENT REGULATION AND SUBJECT TO NEGATIVE RESOLUTION
OF PARLIAMENT

THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC
PROPERTY (SIMPLIFIED PROCUREMENT) REGULATIONS, 2024

PART I

PRELIMINARY

1. These Regulations may be cited as the Public Procurement and Disposal of Public Property (Simplified Procurement) Regulations, 2024. Citation

2. In these Regulations —

Interpretation

“accounting officer” has the meaning assigned to it in the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021; L.N. No. 31 of 2022

“annual procurement plan” means the plan referred to in the guidelines;

“annual schedule of planned procurement activities” means the schedule of planned procurement activities referred to in the guidelines;

“Consultant” has the meaning assigned to it in the Public Procurement and Disposal of Public Property (Procurement of Consultants) Regulations, 2021; L.N. No. 32 of 2022

“direct contracting” means a non-competitive method of procurement where a procuring entity directly selects a supplier or contractor in accordance with Part IV;

“emergency” means an exceptional and unforeseeable situation where—

(a) life, property, equipment or business continuity is immediately at risk; or

(b) where standards of public health, welfare or safety need to be re-established without delay;

“guidelines” mean the guidelines issued by the Office under section 13(1)(c) of the Act;

“method of procurement” means—

(a) a method of procurement set out in the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021; and

(b) direct contracting;

“micro procurement” means the procurement of goods, services or works for which the value of the procurement does not exceed seventy-five thousand dollars, inclusive of taxes, duties and other charges;

“Office” means the Office of Procurement Regulation established under section 9 of the Act;

“one-envelope system” means the system of evaluating submissions set out in regulation 23;

“Procurement Depository” means the Procurement Depository established by the Office pursuant to section 26 of the Act;

“procurement officer” means the person referred to in section 61(2) of the Act;

“registry” means a register of suppliers or contractors who are registered by a public body in accordance with regulation 26;

“simplified procurement” means both a micro procurement and a small-scale procurement;

“small-scale procurement” means the procurement of goods, services or works for which the value of the procurement exceeds seventy-five thousand dollars but does not exceed one million dollars, inclusive of taxes, duties and other charges;

Act No. 1 of
2015

“the Act” means the Public Procurement and Disposal of Public Property Act, 2015;

“two-envelope system” means the system of evaluating submissions set out in regulation 23; and

“verbal quotation” means a quotation provided to a procuring entity *via* telephone or in person.

PART II GENERAL

Adherence to
objects of the
Act

3. A public body engaging in a simplified procurement shall adhere to the objects set out in section 5 of the Act.

4. (1) Subject to subregulation (2), a simplified procurement that is not carried out in accordance with these Regulations and any procurement contract or agreement for a simplified procurement that is not entered into in accordance with these Regulations is void and illegal. Illegality of simplified procurement

(2) Nothing in subregulation (1) shall affect the rights of an innocent third party.

5. (1) A procuring entity shall not split its procurement into separate parts in order to bring the procurement within the remit of these Regulations. Splitting of procurement

(2) A procuring entity shall not split its procurement into separate parts for the sole purpose of bringing it within the definition of a micro procurement.

(3) Where a procuring entity contravenes this regulation, it commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and imprisonment for one year.

6. (1) In estimating the value of a procurement, a procuring entity shall include— Estimating procurement value

(a) the estimated maximum total value of the procurement; or

(b) in the case of a framework agreement, the estimated maximum total value of all anticipated procurement contracts under the framework agreement during the duration of the agreement, taking into account all forms of remuneration to be paid.

(2) Where a procurement contract is to be awarded on a regular basis or is to be renewed within a specified period of time, the value of the procurement shall be estimated on the basis of the actual aggregate cost of similar contracts, awarded during the previous twelve months, and adjusted, where possible, for anticipated changes in value or quantity.

(3) In estimating the value of a fixed term contract, which does not specify a total price—

(a) for a lease or rental;

(b) for the purchase of a good for no more than twelve months; or

(c) for the purchase of a service for no more than twelve months,

the basis for calculating the estimated value shall be the total contract value for the duration of the contract.

(4) In estimating the value of the procurement of works, the estimated contract value shall include the estimated value of any required goods necessary for the completion of the contract.

(5) Where optional items are specified in the solicitation document, the estimated value of the optional items shall be included in the estimation of the total value of the procurement.

(6) Where a procuring entity realises that a procurement would exceed—

(a) in the case of a micro procurement, seventy-five thousand dollars; or

(b) in the case of a small-scale procurement, one million dollars,

it shall bring the procurement proceedings to an end and may start new procurement proceedings in accordance with the applicable legislation.

Planned
procurement

7. (1) A public body shall include all simplified procurements as part of its annual procurement plan, in accordance with the guidelines.

(2) A micro procurement is not required to be included in the annual schedule of planned procurement activities published pursuant to section 27(1)(a) of the Act.

(3) A small-scale procurement is required to be included in the annual schedule of planned procurement activities published pursuant to section 27(1)(a) of the Act.

Responsibility
of
procurement
officer

8. (1) A procurement officer is responsible for all simplified procurement.

(2) A reference in these Regulations to the commission of an offence by a public body is to be construed as a reference to the commission of the offence by the procurement officer or an officer who purports to act in such capacity, if it is proved that—

(a) the offence was committed with his direct consent or connivance; or

(b) he, with knowledge, did not exercise reasonable diligence to prevent the commission of the offence.

(3) No prosecution of an offence under these Regulations may be instituted without the written consent of the Director of Public Prosecutions.

Power of
accounting
officer

9. The accounting officer of a public body has the authority to approve a simplified procurement in accordance with these Regulations and he may delegate his authority, in writing, in accordance with the limits of financial authority and structure of the public body.

10. (1) A procuring entity shall ensure that a supplier or contractor, with which it engages or to whom it awards a procurement contract, submits satisfactory evidence of having fulfilled his obligations to pay all required taxes and contributions in Trinidad and Tobago. Responsibility of procuring entity

(2) Notwithstanding subregulation (1), a procuring entity may engage with or award a procurement contract to a supplier or contractor, who has not submitted satisfactory evidence of having fulfilled his obligations to pay all required taxes or contributions in Trinidad and Tobago, where the supplier or contractor is engaging in procurement proceedings pursuant to these Regulations for the first time.

(3) Where a procuring entity is engaging with or awarding a contract to a supplier or contractor in accordance with subregulation (2), the supplier or contractor shall have six months, from the date of the award of the contract, within which to submit satisfactory evidence of having fulfilled his obligations to pay all required taxes and contributions in Trinidad and Tobago.

(4) Where a supplier or contractor fails to submit satisfactory evidence of having fulfilled his obligations to pay all required taxes and contributions in Trinidad and Tobago within the time stipulated in subregulation (3), a procuring entity shall not engage in further procurement proceedings with the supplier or contractor until he submits the required evidence.

(5) Where a procuring entity awards a contract to a supplier or contractor pursuant to subregulation (2), it shall immediately inform the Office of the award of the contract.

11. The following time limit is to be given by a procuring entity to suppliers or contractors for the making of submissions, other than in an emergency: Time for making submission

- (a) where open bidding is utilized, no fewer than ten working days from the date of publication of the procurement notice;
- (b) where limited bidding is utilized, no fewer than seven days from the date of issuance of the solicitation documents;
- (c) where request for quotations is used, no fewer than two working days from the date of issuance of the solicitation documents;
- (d) where single source selection is used, no fewer than five working days from the date of the issuance of the solicitation documents; and
- (e) where sole source selection is used, no fewer than five working days from the date of the issuance of the solicitation documents.

Prohibition of
victimisation

12. (1) A person shall not be dismissed, suspended, demoted, disciplined, harassed, denied a benefit or otherwise negatively affected because—

- (a) he, acting in good faith and on the basis of a reasonable belief, has—
 - (i) notified the Director of Public Prosecutions, the police, the Integrity Commission or the Office that his employer or any other person has contravened or is about to contravene these Regulations;
 - (ii) done or stated the intention of doing anything that is required to be done in order to avoid having any person contravene these Regulations; or
 - (iii) refused to do or stated the intention of refusing to do anything that is in contravention of these Regulations; or
- (b) his employer or any other person believes that he will do something described in paragraph (a).

(2) A person who contravenes this regulation is liable on summary conviction to a fine of five hundred thousand dollars and imprisonment for one year.

PART III

PARTICIPATION IN SIMPLIFIED PROCUREMENT

Disapplication
of
requirements
for simplified
procurement

13. Where a procuring entity is engaged in a simplified procurement, the following do not apply:

- (a) review process by the Procurement and Disposal Advisory Committee, established pursuant to regulation 21 of the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021;
- (b) observance of a standstill period;
- (c) section 36 of the Act; and
- (d) challenge proceedings set out in Part V of the Act.

Pre-
qualification
and pre-
selection
L.N. No. 30 of
2022

14. Where a procuring entity is engaged in a simplified procurement, it may engage with a supplier or contractor who is pre-qualified or pre-selected pursuant to the Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) Regulations, 2021 and the guidelines.

Due diligence

15. Where a procuring entity is engaged in a simplified procurement, it shall comply with the due diligence requirements set out in the guidelines.

16. (1) The submission of a quotation, in response to a request for quotations, is a formal bid. Submission of quotations

(2) Subject to subregulation (3), the submission of a quotation shall be in writing.

(3) Where a procuring entity is engaged in a micro procurement, a verbal quotation may be submitted.

(4) Where a verbal quotation is to be used the procurement officer shall keep a written record of the quotation in the form set out in Schedule 1. Schedule 1

17. (1) In its communications with suppliers or contractors or with any other person, a procuring entity shall not disclose any information if— Confidentiality

- (a) non-disclosure of the information is necessary for the protection of essential security interests of the State; or
- (b) disclosure of the information would—
 - (i) be contrary to law;
 - (ii) impede law enforcement;
 - (iii) prejudice the legitimate commercial interests of a supplier or contractor; or
 - (iv) impede fair competition,

unless disclosure of the information is ordered by the court and, in such case, subject to the conditions of such an order.

(2) Other than when providing or publishing information pursuant to these Regulations, a procuring entity shall treat submissions in such a manner as to avoid the disclosure of their contents to competing suppliers or contractors or to any other person not authorized to have access to this type of information.

(3) Any discussions, communications, negotiations or dialogue between a procuring entity and a supplier or contractor shall be confidential, unless the disclosure is ordered by the court or required by law.

(4) Subject to subregulation (1), in a simplified procurement involving classified information, a procuring entity—

- (a) may impose on suppliers or contractors, requirements aimed at protecting classified information;
- (b) may demand that suppliers or contractors ensure that their sub-contractors, directors, officers and employees comply with the requirements aimed at protecting classified information; and
- (c) shall inform the Office of any breach of this regulation.

(5) A person who contravenes this regulation is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for one year.

Exemption
from
registration
for simplified
procurements

18. (1) Where a procuring entity is engaged in a simplified procurement for—

- (a) the payment to a public utility;
- (b) the acquisition of goods or services which is only available via an online platform;
- (c) the acquisition of goods, works or services required for the conduct of business of the State outside of Trinidad and Tobago;
- (d) the acquisition of air travel and hotel services and other expenses related to conferences, foreign trade fairs and training seminars; or
- (e) the acquisition of goods, services or works during an emergency,

it may engage with a supplier or contractor who is not registered in its registry or in the Procurement Depository.

(2) Where a procuring entity engages in a procurement pursuant to subregulation (1) it may utilize direct contracting in accordance with Part IV.

(3) Where a procuring entity engages in a procurement pursuant to subregulation (1) the procurement officer shall submit his recommendation to the accounting officer for approval for the award of the contract.

Stages of
simplified
procurement

19. (1) In conducting a simplified procurement, a procuring entity shall, as far as practicable, incorporate the following stages of the procurement proceedings:

- (a) planning;
- (b) solicitation;
- (c) evaluation of submissions and award of the procurement contract; and
- (d) management and execution of the contract.

(2) For the purposes of subregulation (1)(a), ‘planning’ includes—

- (a) identification of a need for goods, services or works;
- (b) preparation of the justification for the method to be utilized to procure the goods, services or works;
- (c) development of specifications for the supply of the goods, services or works;

- (d) establishment of evaluation criteria;
 - (e) identification of suppliers or contractors;
 - (f) confirmation of the availability of funds;
 - (g) preparation of requisitions; and
 - (h) obtaining of relevant approvals.
- (3) For the purposes of subregulation (1)(b), 'solicitation' includes—
- (a) obtaining relevant approvals;
 - (b) preparation and issuance of solicitation documents to suppliers or contractors;
 - (c) conducting site visits, as appropriate;
 - (d) provision of clarification, where required; and
 - (e) receipt of submissions presented by suppliers or contractors.
- (4) For the purposes of subregulation (1)(c), 'evaluation of submissions and award of the procurement contract' includes—
- (a) appointment of one or more evaluators;
 - (b) evaluation of submissions in accordance with the Public L.N. No. 26 of Procurement and Disposal of Public Property (Evaluation) ²⁰²² Regulations, 2021 and the guidelines;
 - (d) preparation of an evaluation report;
 - (e) obtaining approval from the accounting officer; and
 - (f) preparation and issuance of procurement contract.
- (5) For the purposes of subregulation (1)(d), 'management and execution of the contract' includes—
- (a) monitoring the receipt of goods or the performance of works or services;
 - (b) making payments for goods delivered or works or services completed, in accordance with the terms and conditions of the procurement contract; and
 - (c) preparation of report on the performance of suppliers or contractors.

20. A procuring entity shall not issue a solicitation based on personal preferences and shall not restrict a solicitation to suppliers or contractors of well-known or widely distributed brands. ^{Restriction on solicitations}

Participation
by foreign
suppliers or
contractors
in simplified
procurement

21. Where a procuring entity has to solicit suppliers or contractors who are not resident in Trinidad and Tobago for a simplified procurement, for the one-off provision of goods, services or works to be utilized outside Trinidad and Tobago, it is not required to solicit the participation of suppliers or contractors on its registry or the Procurement Depository.

Online
transactions

22. A supplier or contractor who provides direct online purchases, with no sales contact, does not have to register in a registry or the Procurement Depository in order to participate in a simplified procurement.

One-envelope
and two-
envelope
system

23. (1) In a one-envelope system, suppliers or contractors are required to submit both its technical competence and price proposal in one envelope.

(2) A one-envelope system is applicable for straightforward procurements with standard technologies and ancillary services.

(3) In a two-envelope system, suppliers or contractors are required to submit its technical competence and price proposal in separate envelopes.

(4) Where a two-envelope system is used, a procuring entity shall first evaluate the technical evaluations and thereafter evaluate the price proposals of only the suppliers or contractors whose technical evaluations are substantially responsive.

(5) A two-envelope system is applicable for procurements of a complex nature in order to obtain the most economically advantageous solution.

(6) A one-envelope system or a two-envelope system may be utilized where a procuring entity is utilizing either the open bidding or limited bidding method of procurement.

Record of
procurement
proceedings

24. (1) A procuring entity shall maintain a record of the procurement proceedings of a simplified procurement which shall be made available for audits, investigations and reports of the Office.

(2) Subject to subregulation (3), the record of procurement proceedings shall be retained for a period of seven years after the completion or termination of a procurement contract or after the cancellation of a simplified procurement.

(3) The record of procurement proceedings shall be kept for as long as is necessary where the simplified procurement is the subject of an investigation, review or litigation.

(4) Subject to subregulation (5), the record of procurement shall include the following information:

- (a) the need for the simplified procurement;
- (b) the approval to execute each stage of the procurement proceedings;
- (c) the name of all suppliers or contractors who were invited to participate in the procurement proceedings;
- (d) the name of all suppliers or contractors who participated in the procurement proceedings;
- (e) the reason for limiting the participation of suppliers or contractors, where participation is limited;
- (f) the reason for the procurement method used;
- (g) the reason for the cancellation of the procurement proceedings, where applicable;
- (h) the reason for any unfulfilled contract, where applicable;
- (i) the goods, works or services acquired;
- (j) the process of evaluation of submissions used, including the reason for the selection of the supplier or contractor;
- (k) the name of the supplier or contractor selected to provide the goods, works or services;
- (l) evidence that the price paid was reasonable;
- (m) a copy of all invoices and evidence of payments;
- (n) a copy of the signed procurement contract or where there is no signed procurement contract the reason for not including the copy; and
- (o) a report on the performance of the supplier or contractor who provides the goods, works or services.

(5) Where a procuring entity utilizes direct contracting its record of procurement shall include the following information:

- (a) the need for the micro procurement;
- (b) the approval to execute each stage of the procurement proceedings;
- (c) the reason for the procurement method used;
- (d) the reason for the cancellation of the procurement proceedings, where applicable;

- (e) the reason for any unfulfilled contract, where applicable;
- (f) the goods, works or services acquired;
- (g) the name of the supplier or contractor selected to provide the goods, works or services;
- (h) evidence that the price paid was reasonable;
- (i) a copy of all invoices and evidence of payments; and
- (j) a copy of the signed procurement contract or where there is no signed procurement contract the reason for not including the copy.

PART IV

DIRECT CONTRACTINGS

Use of direct
contracting

25. (1) A procuring entity may utilize direct contracting for a micro procurement, where—

- (a) the cost of engaging in any other method of procurement would outweigh the benefit of utilizing any other method of procurement; and
- (b) the proposed price to be paid is fair and reasonable having regard to—
 - (i) the description of the goods, works or services to be acquired;
 - (ii) the assessment of the value of the goods, works or services to be acquired;
 - (iii) the geographical location of the place where the goods, works or services is to be provided; and
 - (iv) such other factors as may be reasonable.

(2) Notwithstanding regulation 9, where a procuring entity decides to engage in direct contracting, it shall obtain the approval of the procurement officer.

(3) Where a procurement officer suspects or has reason to believe that a price may not be reasonable when compared with—

- (a) previous prices paid for the goods, services or works; or
- (b) current prices for the goods, services or works,

he shall verify the reasonableness of the price to be paid.

(4) A procurement officer shall not approve the use of direct contracting if he is unable to justify its use.

(5) Where a procurement officer does not approve the use of direct contracting a procuring entity may utilize any other method of procurement in accordance with these Regulations.

PART V
MICRO PROCUREMENT

26. (1) A procuring entity shall establish and maintain a registry, Registry in a manual or electronic format, in accordance with the guidelines.

(2) Registration in the registry shall be carried out in accordance with the guidelines.

(3) A registry shall contain the following information, in respect of each supplier or contractor:

- (a) name;
- (b) national identification number, where the supplier or contractor is an individual;
- (c) address;
- (d) contact number;
- (e) type of business; and
- (f) description of goods, works or services.

27. (1) Subject to subregulation (2) and regulations 18, 21 and 22, where a procuring entity is engaged in a micro procurement, it shall solicit the participation of suppliers or contractors in its registry. Participation by suppliers or contractors in micro procurement

(2) Where there are no suppliers or contractors in its registry who can provide the goods, services or works required, a procuring entity may solicit the participation of suppliers or contractors who are not in its registry.

(3) Where a procuring entity solicits the participation of a supplier or contractor under subregulation (2) it shall ensure that the supplier or contractor is registered no later than twenty-one days after the award of the contract.

28. Where a procuring entity wishes to engage in a micro procurement it may utilize direct contracting in accordance with Part IV or any other method of procurement in accordance with Part VI of these Regulations. Method of procurement for micro procurement

29. A procuring entity shall submit on the Procurement Depository, Report on micro procurement or in such other manner as the Office determines, no later than three weeks after the end of each quarter, a report detailing the following information relating to a micro procurement:

- (a) the aggregate spend for each category of goods, works or services, referred to in the guidelines;

- (b) the number of micro procurements undertaken relative to the category of goods, works or services procured;
- (c) the value of the procurements conducted in relation to each category of goods, works or services;
- (d) the methods of procurement utilized with respect to each category of goods, works or services provided; and
- (e) the total number of micro procurements undertaken by each method of procurement and the value attributed to each method of procurement.

PART VI

SMALL-SCALE PROCUREMENT

Participation of
suppliers or
contractors in
small-scale
procurement

30. (1) Subject to subregulation (2), where a procuring entity is engaged in a small-scale procurement, it shall solicit the participation of suppliers or contractors registered on the Procurement Depository.

(2) Where there are no suppliers or contractors registered on the Procurement Depository, who can provide the goods, works or services required, a procuring entity may solicit the participation of suppliers or contractors who are not registered on the Procurement Depository, but shall ensure that the supplier or contractor who is selected is registered on the Procurement Depository prior to the award of the contract.

Registration of
suppliers or
contractors for
small-scale
procurement

31. (1) A supplier or contractor who wishes to participate in a small-scale procurement shall register on the Procurement Depository, by submitting the following information, in accordance with the guidelines:

- (a) name;
- (b) address;
- (c) supplier or contractor type;
- (d) nature of business;
- (e) geographical location;
- (f) line of business;
- (g) a copy of the—
 - (i) registration, incorporation or Notice of Continuance; and
 - (ii) national identification card, in the case of an individual;
- (h) a declaration related to ethical conduct; and
- (i) such other information as required by the guidelines.

(2) A procuring entity may request a supplier or contractor to also submit to the Procurement Depository, where applicable, information relating to any—

- (a) licence;
- (b) equipment;
- (c) technical competence; and
- (d) other related matter.

(3) In order to be eligible to participate in a small-scale procurement a supplier or contractor shall ensure that the information he submits on the Procurement Depository is complete and accurate.

(4) A procuring entity may require a pre-qualified supplier or contractor to demonstrate his qualifications each time the procuring entity engages in a small-scale procurement.

(5) A procuring entity may disqualify a supplier or contractor who, without reasonable cause, fails to provide information to demonstrate his qualifications in accordance with subregulation (4).

(6) Subject to regulations 18, 21 and 22, a supplier or contractor, who is not resident in Trinidad and Tobago, shall be registered in the Procurement Depository prior to the award of a contract, and the procuring entity shall allow sufficient time and provide reasonable assistance to the supplier or contractor to complete his registration in the Procurement Depository.

32. Where a procuring entity wishes to engage in a small-scale procurement it shall utilize a method of procurement, other than direct contracting, in accordance with this Part.

Method of
procurement
for small-scale
procurement

33. In determining which method of procurement it should utilize for a small-scale procurement, a procuring entity shall have regard to the following matters in order to obtain the best value for money:

Choice of
method of
procurement
for small-scale
procurement

- (a) the nature of the goods, services or works to be procured;
- (b) the value of the procurement;
- (c) the availability and capacity of local suppliers or contractors;
- (d) the need for provision of the goods, services or works within a specific timeline; and
- (e) the methodology and workplan for the provision of the goods, services or works, where applicable.

Use of open bidding, limited bidding, request for quotation, single source selection, sole source selection and framework agreement for small-scale procurement

34. (1) Where a procuring entity utilizes open bidding, limited bidding, request for quotation, single source selection or sole source selection or establishes a framework agreement for a small-scale procurement the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021 shall apply, subject to these Regulations.

(2) The procuring entity shall evaluate submissions in accordance with the Public Procurement and Disposal of Public Property (Evaluation) Regulations, 2021 and the guidelines.

Use of limited bidding for small-scale procurement

35. A procuring entity may utilize limited bidding for a small-scale procurement where—

- (a) the subject of the procurement is of a specialized nature and is available from a limited number of suppliers or contractors; or
- (b) the time and cost required to evaluate a large number of submissions would be disproportionate to the value of the subject of the procurement.

Requirements for limited bidding in small-scale procurement

36. (1) The procuring entity shall ensure that its bidding documents are issued to all suppliers and contractors simultaneously.

(2) The procuring entity shall utilize the standard bidding documents issued by the Office.

(3) The procuring entity shall evaluate submissions in accordance with the Public Procurement and Disposal of Public Property (Evaluation) Regulations, 2021 and the guidelines.

Information for participating suppliers and contractors

37. (1) A procuring entity shall, within seven days of the award of a contract or entering into a framework agreement, inform each supplier or contractor who participated in the procurement, in writing, of—

- (a) the fact that it has made a decision;
- (b) the name and address of the supplier or contractor who made the successful submission;
- (c) the contract price; and
- (d) the date of the award of the contract or the establishment of the framework agreement.

(2) Where the information referred to in subregulation (1) is unavailable, a complaint may be made to the Regulator.

38. (1) A procuring entity shall submit on the Procurement Depository, or in such other manner as the Office determines, no later than three weeks after the end of each quarter, a report on all contracts awarded and all framework agreements established during the quarter immediately preceding the report. Report on small-scale procurements

(2) The report referred to in subregulation (1) shall include, *inter alia*—

- (a) the method of procurement utilised;
- (b) the supplier or contractor selected; and
- (c) the contract price.

PART VII

PROCUREMENT OF CONSULTANTS

39. (1) Where a procuring entity wishes to engage in the micro procurement of a Consultant it may utilize either a competitive or non-competitive method of procurement in accordance with this Part. Procurement of Consultants

(2) Where a procuring entity wishes to engage in the small-scale procurement of a Consultant it may utilize either a competitive or non-competitive method, other than direct contracting, in accordance with this Part.

40. A procuring entity may utilise single source selection or sole source selection to procure a Consultant where— Use of single source or sole source for procurement of Consultant

- (a) the Consultant is to be selected because of his specialised qualification; or
- (b) it is necessary for a Consultant to continue a project where the initial contract was awarded through another method of procurement.

41. A procuring entity may utilise single source selection to award a contract for consulting services to a public body where the award of the contract will be advantageous to the procuring entity and the State. Award of consultancy contract to public body

42. (1) Subject to subregulation (2), where a procuring entity wishes to engage a Consultant for a micro procurement it shall engage with Consultants listed on its registry, unless there are no Consultants listed on its registry. Procurement of Consultants for micro procurement

(2) Where there are no Consultants listed on its registry, who can provide the service required, a procuring entity may solicit the participation of Consultants who are not on its registry.

(3) Where a procuring entity solicits the participation of a Consultant under subregulation (2) it shall ensure that the Consultant is registered on its registry no later than twenty-one days after the award of the contract.

Procurement of Consultant for small-scale procurement 43. (1) Subject to subregulation (2), where a procuring entity wishes to engage a Consultant for a small-scale procurement it shall engage with Consultants that are registered on the Procurement Depository.

(2) Where there are no Consultants registered on the Procurement Depository, who can provide the service required, a procuring entity may solicit the participation of Consultants who are not registered on the Procurement Depository, but shall ensure that the Consultant who is selected is registered on the Procurement Depository prior to the award of the contract.

Procurement of Consultant for simplified procurement 44. Subject to these Regulations, the Public Procurement and Disposal of Public Property (Procurement of Consultants) Regulations, 2021 shall apply to the procurement of a Consultant for a simplified procurement.

PART VIII COMPLAINTS

Complaint related to collusion or victimisation 45. Where a supplier or contractor wishes to make a complaint about—

- (a) bid rigging or any other form of collusion between all or any of the parties to a procurement proceeding; or
- (b) victimisation,

in relation to a simplified procurement, he shall proceed under Part IV of the Act.

Complaint related to irregularity or breach of Regulations 46. (1) A supplier or contractor who wishes to make a complaint about an irregularity in a procurement proceeding, in relation to a simplified procurement, or a breach of these Regulations shall submit his complaint, in writing, to the accounting officer of the relevant public body within seven working days of—

- (a) him becoming aware of the circumstances which give rise to his complaint; or
- (b) the day on which he ought to have become aware of the circumstances which give rise to his complaint,

whichever is earlier.

(2) The accounting officer shall not entertain a complaint that is not submitted in accordance with subregulation (1).

(3) The supplier or contractor may forward his complaint to the Office where—

- (a) he is not satisfied with the decision of the accounting officer; or
- (b) the accounting officer does not communicate his decision within seven working days of his receipt of the complaint.

(4) Where a supplier or contractor decides to forward his complaint to the Office, he shall do so within seven working days of—

- (a) the communication of the decision of the accounting officer; or
- (b) the expiration of the time for the accounting officer to communicate his decision set out in subregulation (3)(b).

(5) Where the Office receives a complaint in accordance with this regulation it shall investigate the complaint in accordance with its powers under the Act.

47. (1) A procuring entity shall establish and maintain a register of all complaints made against it.

Register and
report of
complaints

(2) A procuring entity shall submit to the Office on a quarterly basis, in accordance with the guidelines, a report on the status or outcome of each complaint made against it.

SCHEDULE

Regulation 16(4)

RECORD OF VERBAL QUOTATION

VERBAL QUOTATION FORM

Description of Procurement

Description of Good/Service:

File Number: _____

Name of Person obtaining Verbal Quotation: _____

Name of Procurement Officer: _____

Signature of Person
obtaining Verbal QuotationSignature of Procurement
Officer

Date

Date

Details of Supplier/Contractor

Name: _____

Contact Number: _____

Email Address: _____

Quoted/Proposed Price (TT\$): _____

Date and Time of Communication: _____

Mode of Communication: _____

SCHEDULE—CONTINUED

Regulation 16(4)

RECORD OF VERBAL QUOTATION

VERBAL QUOTATION FORM

Details of Supplier/Contractor

Name: _____

Contact Number: _____

Email Address: _____

Quoted/Proposed Price (TT\$): _____

Date and Time of Communication: _____

Mode of Communication: _____

Details of Supplier/Contractor

Name: _____

Contact Number: _____

Email Address: _____

Quoted/Proposed Price (TT\$): _____

Date and Time of Communication: _____

Mode of Communication: _____

Award of Contract

The successful supplier/contractor is _____

In the amount of (TT\$): _____

Justification: _____

Name of Officer obtaining Verbal Quotation: _____

Signature of Officer obtaining Verbal Quotation: _____

Date: _____

SCHEDULE—CONTINUED

Regulation 16(4)

RECORD OF VERBAL QUOTATION

VERBAL QUOTATION FORM

Comments of Procurement Officer:

Name of Procurement Officer: _____

Signature of Procurement Officer: _____

Date: _____

Dated this 5th day of April, 2024.

C. IMBERT
Minister of Finance