

KNOWLEDGE CENTRE

Procurement Timelines

PT:1

Relevant Facts or Questions Asked

A Procuring Entity (PE) sought guidance on the following where:-

- I. Procurement proceedings were instituted via the Government of Jamaica Electronic Procurement (GOJEP) platform valued at Jamaican Seventeen Million Dollars (JMD\$17M) for goods;
- II. the opportunity was listed/advertised for (21) days through the GOJEP system but was not published in local newspapers;
- III. The PE queried the correct interpretation of the Third Schedule of The Public Procurement Regulations, 2018 since the same clause implies from the use of the word "OR" that the tender notification for the referenced value can be done either via the GOJEP system or international and local newspapers and magazines.

Issues Arising

Whether existing procurement rules admit of solicitation in national and international competitions to commence by way of electronic procurement only without advertisement in newspapers.



Advice

1. Procurement best practice and existing GOJ policy are premised on the need to ensure effective competition. Competition increases the likelihood that the government will achieve value for money, and attain all the other objectives of public procurement.
2. Regulation 39 of The Public Procurement Regulations 2018 and the attendant Third Schedule outline inter alia the manner of publication and notification to be observed in line with the appropriate contract value and procurement methods.
3. Whilst there appears to be a literal interpretation that a procuring entity has the option to utilise either of the manner of notification this Ministry continues to encourage practitioners to enable effective competition by combining notifications via the GOJEP portal with publication in local and international newspapers and magazines as necessary.
4. In the instant matter, it is encouraging to see the number of bidders- eleven in total. However, for future competitive opportunities, the PE should devote its best efforts to increasing the likelihood of participation by publicising procurement contracts in local and international newspapers as the case may be.
5. Furthermore, the PE should consider that suppliers who are registered on the GOJEP are only a subset of the local supplier population, so that advertisement through circulating newspapers is bound to increase awareness of the contract opportunity, and increase competition.
6. The PE is therefore encouraged to bear the foregoing factors in mind with a view to expand the opportunity to other potential suppliers via our local newspapers.

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