

# KNOWLEDGE CENTRE

## Negotiation

**N:1**

### Relevant Facts or Questions Asked

A Procuring Entity (PE) sought guidance as follows:

- I. Subsequent to the evaluation process for the procurement of AIO Desktop Computers, approval was granted for an increase in the quantity of computers in keeping with the request limit specified in the issued bidding documents.*
- II. The Procuring Entity is currently preparing a submission to the Public Procurement Commission for their endorsement and has been advised to consult the Office of Public Procurement Policy for guidance on the treatment of the inclusion of this additional amount in the submission for contract award.*

### Issues Arising

Whether increases in quantity of goods procured should be finalised prior seeking external approval for contract award.

### Advice

1. The Procuring Entity is advised that approval for contract award should be sought on the basis of the final contract price. Therefore, in this instance where an increase in the quantity of computers is required, the Procuring Entity should ensure that this adjustment is accounted for in the final contract price being submitted for both internal and external approval.

2. This is further supported by the issued bidding document in Instruction to Bidders 42 and the Bidding Data Sheet which indicates that at the time of contract award, the maximum percentage by which quantities may be increased is: 50%, and the maximum percentage by which quantities may be decreased is: 25%.
3. Therefore, the Procuring Entity should finalise arrangements with consideration of the increased quantity, then proceed with the requisite standstill and thereafter submit for requisite approvals for contract award.

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