

Q 1. (a) What is tender/ quotation waiver?

A 1. It's a broad term including relaxing / waiving the required tender / quotation procedure to be followed in the procurement of goods and services.

Q 1 (b). When is tender/ quotation waiver applicable?

A 1(b) The need to obtain required quotations or tenders may be waived in the following circumstances:

- ❖ Matters of extreme urgency including health, security or safety as a consequence of an unforeseen event or occurrence, the reason for such decision is to be recorded.
- ❖ Direct contact with a supplier of choice may be appropriate where no quotations/tenders were submitted or no quotations/tenders were submitted that conform to the essential requirements of the quotation/tender documentation
- ❖ For additional delivery of goods and services that are intended either as replacement parts, extensions or continuing services for existing equipment, software, services or installations where a change in supplier would necessitate the procurement of goods and service that do not meet the requirements for interoperability or interchangeability
- ❖ For standardization of machinery or spare parts to be compatible to the existing sets of equipment (on the advice of a competent technical expert), the required item is to be purchased only from a selected firm.
- ❖ An extension to building contract works by way of variations whereby use of another building contractor may void warranties, create industrial problems or compromise compatibility
- ❖ Sole source - It is in the knowledge of the user unit that only a particular firm is the manufacture / supplier of the relevant goods / services i.e. the item is proprietary in nature.

Q 2. Who can grant tender waiver?

A 2. Refer to Procurement Policy 6.31.23a

Q 3. When should a tender waiver proposal be made?

A 3. Before creating any financial liability on USP.

Q 4. Who should recommend tender waiver from the requesting unit?

A 4. The SMT member in-charge of the requesting unit. Please refer to the new SMT structure.

Q 5. Is tender waiver approval required even when procurement is proposed from Preferred Suppliers?

A.5. Yes except when the agreement with the Preferred Suppliers is in the nature of a rate contract i.e. the rate(s) of the item(s) proposed for procurement are already established in the Preferred Supplier agreement.

Q 6. Tender Waiver approval seeking chain?

A 6. Fund Controller → Concerned SMT Member → Procurement Manager → DOF → VC (for estimated procurement value >= F\$30,000 cases only)

Q 7. What are the conditions under which selective (limited) tender route may be considered even when estimated procurement value exceeds F\$300k?

A 7. At least one of the following three conditions should be satisfied:

a) The demand is urgent and any additional expenditure involved by not procuring through open (advertised) tender enquiry is justified in view of urgency. The nature of the urgency and reasons why the procurement could not be anticipated are also to be brought on record.

b) There are sufficient reasons, to be recorded in writing, indicating that it will not be in the interest of USP to procure the goods / services through open (advertised) tender enquiry.

c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped, is remote.

Q 8. What about ongoing contracts that were not finalized after following due tender process?

A 8. These contracts may be allowed to run their contractual term following which such cases shall be examined fresh. Units concerned to start the re-examination process well in time before the expiry of the running contract.

Q 9. Does a single response to an open tender also require tender waiver approval?

A.9. No. The request for tender/ quotations must be attached to the Purchase Requisition as supporting document

Q 10. What if fewer than required quotations are received?

A 10. Tender/quotation waiver approval is not required in such cases if the proof of having sought the quotes from the required number of suppliers is kept on record. However, such suppliers who do not respond to our queries should not be included in future enquiries.