



Office of the President
Republic of Trinidad and Tobago

**Expression of Interest
(Contractual Position)**

PROCUREMENT REGULATOR

OFFICE OF PROCUREMENT REGULATION

The Office of the President invites Expressions of Interest for the position of Procurement Regulator ("The Regulator").

The Office of Procurement Regulation ("the Office") is established in accordance with the Public Procurement and Disposal of Property Act No. 15 of 2015 as amended by Act No. 5 of 2016 and Act No. 3 of 2017 (hereafter collectively known as "the Act").

The Procurement Regulator ("the Regulator") reports and accounts to the Parliament in accordance with the provisions of the Act.

OBJECTIVE OF THE ACT

An Act to provide for public procurement, and for the retention and disposal of public property in accordance with the principles of good governance, namely accountability, transparency, integrity and value for money, the establishment of the Office of Procurement Regulation, the repeal of the Central Tenders Board Act, Chap. 71:91 and related matters.

JOB SUMMARY/DUTIES AND RESPONSIBILITIES

The Regulator shall be entrusted with the day-to-day management, administration, direction and control of the business of the Office with authority to act in the conduct of the business of the Office.

The Regulator is also responsible for, inter alia, providing the necessary leadership so that the vision, mission and objectives of the Office are realised in accordance with the legislative mandates established by the Act.

The Procurement Regulator shall be the Chairman of the Procurement Board ("the Board") by which the Office of Procurement Regulation shall be governed. The members of the Board shall be appointed by the President after consultation with the Prime Minister and the Leader of the Opposition.

The Regulator shall be appointed for a term of five (5) years and is eligible for reappointment, and shall not serve more than two (2) consecutive terms.

KEY KNOWLEDGE, SKILLS AND ABILITIES OF THE PROCUREMENT REGULATOR

- (i) Extensive knowledge of the relevant laws and regulations, policies and procedures governing the procurement of infrastructural works, supplies, equipment, materials and services in the Public Service and of the retention and disposal of public property.
- (ii) Extensive knowledge of international public procurement methods, procedures and best practices.
- (iii) Extensive knowledge of the public sector's financial and accounting practices and procedures.
- (iv) Extensive knowledge of contractor management, procedures and best practices.
- (v) Extensive knowledge of the procurement policies and procedures of international lending agencies and institutions.
- (vi) Extensive knowledge of the principles and practices of Project Management.
- (vii) Possessed of principles of integrity, independence, transparency, accountability and confidentiality.
- (viii) Ability to interpret and apply laws, regulations, policies and procedures pertinent to procurement in the Public Service and international lending agencies.
- (ix) Ability to convey a professional and positive image and attitude regarding the representation of the Office of Procurement Regulation.
- (x) Demonstrated ability to provide leadership, vision and managerial oversight to the Office of Procurement Regulation.
- (xi) Effective communication and negotiation skills.
- (xii) Ability to think strategically and critically.
- (xiii) Ability to make sound and informed decisions.
- (xiv) Demonstrated ability to exercise tact and to forge strong, appropriate and constructive relationships with various stakeholders including government, NGOs, private sector, regional and international organisations and institutions.
- (xv) Strong problem-solving skills.
- (xvi) Ability to lead the Board of the Office of Procurement Regulation.
- (xvii) Ability to understand and communicate with the use of Information Technology (IT).

MINIMUM QUALIFICATIONS AND EXPERIENCE

- (1) Minimum of ten (10) years' experience in matters relating to procurement; and
- (2) A Degree from an accredited University in a field relating to finance, economics, law or accounting or an equivalent professional qualification in accounting.

KEY FUNCTIONS AND RESPONSIBILITIES OF THE OFFICE OF PROCUREMENT REGULATION

1. The functions of the Office of Procurement Regulation are to, inter alia:
 - (a) establish a comprehensive database of information on public procurement, including information on tenders received, the award and value of contracts, and such other information of public interest as the Office thinks fit;
 - (b) set training standards, competence levels and certification requirements to promote best practices in procurement;
 - (c) issue and review guidelines in relation to public procurement and the retention and disposal of public property, including model guidelines for special guidelines under sections 30(1)(b) and 54(1)(b);
 - (d) prepare, update and issue model handbooks, incorporating standardised bidding documents, procedural forms and relevant documents for use in public procurement and the retention and disposal of public property;



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OFFICE OF PROCUREMENT REGULATION (cont'd)

- (e) approve, in respect of each procuring entity, special guidelines and handbooks in relation to public procurement and the retention and disposal of public property;
 - (f) promote the use of technology in public procurement and the retention and disposal of public property;
 - (g) provide best practice advice in the conduct of procurement activities, including the promotion of electronic transactions;
 - (h) audit and review the system of procurement and disposal of public property to ensure compliance with the objectives of the Act;
 - (i) harmonise policies, systems and practices in relation to public procurement activities and the disposal of public property;
 - (j) review procurement practices and delivery systems on an annual basis to identify best practices;
 - (k) determine, develop, introduce, maintain and update related system-wide databases and technology;
 - (l) promote the awareness of public bodies and the public to issues relating to public procurement and disposal of public property;
 - (m) undertake research and surveys with respect to public procurement and disposal of public property;
 - (n) investigate, on its own initiative or upon complaint from any party involved in public procurement or disposal of public property or any member of the public, any alleged or suspected breach of this Act;
 - (o) act for, in the name and on behalf of the State to dispose of real property owned by the Government in such manner as the Government may consider appropriate and desirable;
 - (p) create and publish standard form contracts for public procurement and disposal of public property;
 - (q) prepare and maintain a database of pre-qualified contractors and suppliers;
 - (r) prepare and maintain a list of pre-qualified mediators, arbitrators and experts for the purposes of alternative dispute resolution under this Act; and
 - (s) provide advice on best practice on the aggregation of the procurement or disposal of goods for the purpose of obtaining value for money.
2. In the exercise of its functions, and in accordance with section 13(2)(b) of The Act, the Office shall—
- (a) act expeditiously and take such other steps as it thinks fit in order to minimise any negative economic impact arising out of the performance of its functions; and
 - (b) not be subject to the direction or control of any other person or authority in the performance of its functions, but shall be accountable to the Parliament.

POWERS OF THE OFFICE OF PROCUREMENT REGULATION

- (1) The Office shall, at all times in the performance of its functions and exercise of its powers, act in an objective and non-discriminatory manner.
- (2) The Office may, in the performance of its functions:
 - (a) monitor the procurement of goods, works and services, and the disposal of public property by public bodies to ensure compliance with this Act;
 - (b) conduct audits and periodic inspections of public bodies to ensure compliance with this Act;
 - (c) issue directions to public bodies to ensure compliance with this Act; and
 - (d) carry out such other activities and do such other acts as it considers necessary or expedient for the carrying out its functions.
- (3) The Office shall establish a database, to be known as "the Procurement Depository", to which suppliers or contractors can submit information with respect to, among other things, their qualifications and experience.

THE BOARD OF THE OFFICE OF PROCUREMENT REGULATION

- (1) The Board shall meet at least once every month and as often as is required to effect its business.
- (2) The Regulator shall preside at meetings of the Board and, in the absence of the Regulator, the Deputy Chairman shall preside.
- (3) The quorum of a meeting of the Board shall be six members, including either the Regulator or the Deputy Chairman.
- (4) The minutes of each meeting of the Board shall be kept in proper form and be confirmed at the next meeting.
- (5) The Board may regulate its own proceedings.
- (6) The Board may appoint such committees as it considers necessary.
- (7) Powers, membership and management of the committees are in accordance with the Act.

All Expressions of Interest for the position of Procurement Regulator in the Office of Procurement Regulation shall take cognizance of, and be subject to, the Public Procurement and Disposal of Property Act No. 15 of 2015 as amended.

All Expressions of Interest must be accompanied by:

- (i) a Certificate of Good Character; and
- (ii) two (2) letters of reference.

A detailed Curriculum Vitae and the requested documents are to be submitted to the Secretary to His Excellency the President of the Republic of Trinidad & Tobago at ttofficepresident@otp.gov.tt or to the Office of the President, Republic of Trinidad and Tobago, Circular Road, St. Ann's, Republic of Trinidad and Tobago by 25TH AUGUST, 2017.