

TUESDAY: 19 August 2025. Morning Paper.

Time Allowed: 3 hours.

Answer ALL questions. Marks allocated to each question are shown at the end of the question. Do NOT write anything on this paper.

SECTION A

QUESTION ONE

- (a) Identify **FIVE** features of a good public procurement regulatory framework. (5 marks)
 - (b) Outline **FIVE** key documents typically reviewed during the inspection of goods delivered by a supplier. (5 marks)
 - (c) Highlight **FIVE** circumstances under which the disclosure of information may be required during or after procurement proceedings. (5 marks)
 - (d) Describe **FIVE** responsibilities of public procurement regulators. (5 marks)
- (Total: 20 marks)**

SECTION B

QUESTION TWO

- (a) Assess **FIVE** strategies that procurement entities can use to ensure the successful implementation of preference and reservation schemes. (10 marks)
 - (b) Appraise **FIVE** social-economic benefits of sustainable public procurement. (10 marks)
- (Total: 20 marks)**

QUESTION THREE

- (a) Examine **FIVE** aspects in the development of Terms of Reference (TOR) for consultancy services that ensure effectiveness in the tendering process. (10 marks)
 - (b) Propose **FIVE** measures that the Head of Procurement can implement to optimise the utilisation of shelf-life items. (10 marks)
- (Total: 20 marks)**

SECTION C

QUESTION FOUR

Read the case study below and answer the questions that follow.

UPENDO HOSPITAL

In an ambitious move to expand access to healthcare and bring essential medical services closer to underserved communities, the Ministry of Health initiated plans to construct a 400-bed national hospital in the northern region of the country. The proposed facility, to be named *Upendo Hospital*, was to serve as a regional referral centre and significantly reduce the burden on the existing healthcare infrastructure.

The project attracted funding through a generous grant from an international development partner. However, as per the host country's legislation, the entire procurement process was subject to the provisions of the Public Procurement and Asset Disposal Act 2015 and associated regulations, ensuring transparency, accountability, and value for money in the use of public and donor funds.

A national tender was advertised, and a competitive bidding process followed. Upon evaluation, the contract was awarded to the winning bidder, and preparations for mobilisation began. However, before the commencement of work on site, one of the unsuccessful bidders filed a legal challenge in court, obtaining an injunction to halt the project. The complainant alleged significant procedural irregularities and claimed that there were conflicts of interest involving procurement officials within the Ministry of Health and the successful bidder.

Recognising the gravity of the allegations, the courts referred the matter to the Public Procurement Administrative Review Board (PPARB) for expedited resolution, as required by the procurement law. The court advised the parties that any further litigation should only be pursued if the Board's decision proved unsatisfactory to either side.

The controversy sparked concern among key stakeholders. The donor agency funding the project issued a formal letter to the Ministry of Health expressing grave concerns about the integrity of the procurement process. Citing their zero-tolerance policy on procurement malpractices, the donor warned that unless the matter was conclusively resolved within six months, the grant funding would be withdrawn in its entirety. This put the ministry under significant pressure to act with urgency and integrity to salvage both the funding and the credibility of the project.

(Disclaimer: This case study is solely for education and examination)

Required:

- (a) Summarise **FIVE** strategies the Ministry of Health can adopt to enhance accountability and transparency in its procurement processes, restore donor confidence and ensure the successful implementation of the project. (10 marks)
 - (b) Propose **FIVE** steps the Ministry of Health can take to address allegations of conflicts of interest in the procurement process. (10 marks)
 - (c) Examine the roles and interests of the **FIVE** stakeholders involved in the hospital construction project. (10 marks)
 - (d) Assess **FIVE** grounds that may form the basis for the nullification of the award by the Review Board. (10 marks)
- (Total: 40 marks)**

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