



MACHAKOS UNIVERSITY

University Examinations for 2016/2017 Academic Year

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

**FOURTH YEAR FIRST SEMESTER EXAMINATION FOR
BACHELOR OF COMMERCE (PROCUREMENT & SUPPLY CHAIN MANAGEMENT
OPTION)**

BMS 426: PUBLIC PROCUREMENT

DATE: 28/7/2017

TIME: 8:30 – 10:30 AM

INSTRUCTIONS

Answer question ONE and any other TWO questions

QUESTION ONE (COMPULSORY) (30 MARKS)

- a) Explain the meaning of the following terms as used in Public Procurement and Asset Disposal Act, 2015.
- i Accounting Officer
 - ii Public Entity
 - iii fraudulent practice”
 - iv public procurement”
 - v public money (5 marks)
- b) Subject to prescribed restrictions, a procuring entity may use some alternative selection methods to evaluate proposals. Explain five such methods indicating when they are preferred. (5 marks)
- c) Explain the principles that guide procurement of goods, services and works in the public sector in Kenya. (5 marks)

- d) The Public procurement and asset Disposal Act 2015, describes the relationship between itself, other Acts and international agreements. Explain such relationships. (5 marks)
- e) An accounting officer of a procuring entity, may, at any time, prior to notification of tender award, terminate or cancel procurement or asset disposal proceedings without entering into a contract where some conditions prevail. Explain five such conditions. (5 marks)
- f) The Public procurement & Asset Disposal Act, 2015 requires that tender documents and invitation to tender should not contradict one another and should be the basis of procurement contracts. Highlight the aspects that are of common concern between them. (5 marks)

QUESTION TWO (20 MARKS)

- a) Explain five functions of the Public Procurement Regulatory Authority in the process of regulating public procurement in the country. (10 marks)
- b) Public procurement may vary or be similar in some aspects from one country to another. Discuss the similarities and distinctions between Kenyan procurement law and the procurement law of another country of your choice. (10 marks)

QUESTION THREE (20 MARKS)

- a) Explain the challenges that procurement functions established at every county by County Treasury may face when executing its functions. (10 marks)
- b) For the purpose of managing complex and specialized procurement contracts the Public Procurement & Asset disposal act 2015 requires that Contract Implementation Team be established. Highlight the role of this team in contract implementation. (10 marks)

QUESTION FOUR (20 MARKS)

- a) There are specific requirements which should be included when describing a procuring entity's technical requirements with respect to the goods, works or services being procured. Explain five such requirements (10 marks)
- b) Highlight the Prohibitions and offences that a procurement officer is supposed to be aware of while discharging his/her procurement duties. (10 marks)

QUESTION FIVE (20 MARKS)

- a) Describe the procedure that may be followed by public entities when disposing unserviceable equipment by use of public tender (10 marks)

- b) Explain the circumstances that may favour the use of restricted tendering method of procurement in a public entity. (10 marks)