



MACHAKOS UNIVERSITY

University Examinations for 2016/2017 Academic Year

SCHOOL OF BUSINESS AND ECONOMICS

**DEPARTMENT OF BUSINESS ENTREPRENEURSHIP AND MANAGEMENT
SCIENCES**

FOURTH YEAR SECOND SEMESTER EXAMINATION FOR DEGREE IN

**BACHELOR OF COMMERCE (PROCUREMENT & SUPPLY CHAIN
MANAGEMENT OPTION)**

BMS 426: PUBLIC PROCUREMENT

DATE: 29/5/2017

TIME: 11:00 – 1:00 PM

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.
- a) Citizen contractor”
 - b) Disposal
 - c) Fraudulent practice”
 - d) Public procurement”
 - e) Procurement function (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 distinctions between procurement in the public sector and procurement in the private sector. (5 marks)

- d) The Public procurement and asset Disposal Act 2015, applies to all State organs and public entities. Explain the scope of the areas the Act governs. (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 be the basis of all procurement contracts. Highlight FIVE such documents (5 marks)

QUESTION TWO (20 MARKS)

- a) Explain five functions of the Public Procurement Regulatory Board 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 functions of procurement function which is supposed to be established at every county by County Treasury. (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 (10 marks)
- b) Explain the circumstances that may favour the use of force account method of procurement in a public entity. (10 marks)