

PROCUREMENT POLICY OFFICE

Directive No. 51

(Issued pursuant to Section 7(b) of the Public Procurement Act 2006)

Composition of Bid Evaluation Committees

1. The purpose of this Directive is to alert public bodies to strictly comply with the legal requirements when appointing members of Bid Evaluation Committee (BEC) as it has often been reported that those selected do not have the required expertise.

1.1 Section 37(2) of the Public Procurement Act 2006 states that –

“The Board, in case of a major contract, or a public body shall, in order to evaluate bids, set up a bid evaluation committee, selected from a list of qualified evaluators maintained by it.”

1.2 Regulation 7 (2) of the Public Procurement Regulations 2008 further provides that –

“When constituting a bid evaluation committee, a public body shall take into account the proper combination of expertise required and ensure that the selected evaluators have the required competence and expertise.”

2. In light of the above, it is essential that BECs are composed of members who are knowledgeable about the goods, works or services under procurement as well as the updated public procurement legislations and procedures in place.
3. It is thus incumbent on the Board and public bodies to assess the competence and qualifications of potential evaluators in relation to the subject matter of procurement and their assigned workload in the BEC prior to their selection.
4. Notwithstanding the above, the Board or a public body may, following a request from a BEC, appoint an adviser or a technical sub-committee to assist it in a particular aspect of the evaluation.
5. Potential evaluators should be fully conversant with the contents of the Bid Evaluation Guides, available on PPO website: ppo.govmu.org.