



The Office of the Minister of Planning and Sustainable Development

May 12, 2014

Mr. Winston Riley
Chairman
Private Sector/Civil Society
The Professional Centre Building, Unit 202,
Fitzblackman Drive,
Wrightson Road Extension,
Port of Spain

Dear Mr. Riley,

Thank you for your letter of May 08, 2014.

I note your indication that one member of your group would prefer to have the clause 7 (2) deleted, however, I am grateful that on the basis of two meetings, in the spirit of reaching a mutually acceptable solution, we were able to reach agreement on an amendment to Clause 7 (2).

Attached is a copy of that amendment prepared by the CPC's office.

Thank you for your willingness to work collaboratively to get a good Procurement Bill to be debated and, hopefully passed.

I look forward to your support.

I thank the Civil Society/Private Sector Group and you personally, for making it possible to get to this meaningful point.

Sincerely

Dr. Bhoendradatt Tewarie
Minister

Ministry of Planning and Sustainable Development

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PUBLIC PROCURMENT AND DISPOSAL OF PUBLIC PROPERTY BILL

PROPOSED AMENDMENT TO CLAUSE 7

7. (1) This Act applies to public bodies and public private partnership arrangements.

(2) To the extent that this Act conflicts with an obligation of the State under or arising out of the following:

- (a) a treaty or other form of agreement to which Trinidad and Tobago is a party with one or more States or entity within a State;
- (b) an agreement entered into by the Government of Trinidad and Tobago with an international financing institution; or
- (c) an agreement for technical or other cooperation between the Government of Trinidad and Tobago and the Government of a foreign State,

the requirements of the treaty or agreement shall prevail except that the procurement of goods, works or services shall be governed by this Act and shall promote the socio-economic policies of Trinidad and Tobago and shall adhere to the objects of this Act.

(3) A procuring entity engaged in procurement proceedings relating to a treaty or agreement referred to in subsection (2)(a) shall comply with section 29 and submit a report on such compliance to the Office.

(4) The Office shall, within twenty-one days of receiving a report under subsection (3), forward a copy of the report to the Speaker who shall cause the report to be laid in Parliament at the earliest opportunity.