



**STRATHMORE INSTITUTE  
DIPLOMA IN PROCUREMENT  
END OF SEMESTER EXAMINATION  
DPR 1306 - Procurement law**

**DATE: 15<sup>th</sup> AUGUST 2019**

**Time: 2hrs**

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**Instructions**

1. This examination consists of **FOUR** questions.
2. Answer **Question ONE (COMPULSORY)** and any other **TWO** questions.
3. Do not write on this question paper.

**QUESTION ONE**

Kenya enacted the Public Procurement and Disposal Act (2015) to enhance efficiency, promote social economic inclusion, realise value for money as well as to align procurement and disposal processes with the Constitution (2010) especially on the national values and principles. To a great extent most of these objectives have not been realised.

Required.

- a) Outline FIVE guiding principles of Public Procurement & Asset disposal. **(10 marks)**
- b) Highlight FIVE challenges that are facing Kenya in the implementation of the public procurement and asset disposal laws. **(10 marks)**
- c) Describe FIVE reasons for regulating Public Procurement and Disposal of Assets. **(10 marks)**

**QUESTION TWO**

- a) Identify three bodies that are involved in Public Procurement and asset disposal in Kenya. **(6 marks)**
- b) The Public Procurement & Regulatory Authority (PPRA) is a legal entity established to manage public procurement and asset disposal in Kenya. Highlight five functions performed by the Public Procurement & Regulatory Authority. **(5 marks)**
- c) Country governments as established under the constitution are recognized as public entities with procurement and asset disposal functions. Describe four roles of the county government in respect to Procurement and Disposal of Assets? **(4 marks)**

### QUESTION THREE

- a) The law provides for a variety of methods of procuring goods, works and services by public entities depending on the prevailing circumstances. Describe five such methods of procuring goods, works and services. **(10 marks)**
- b) The Public Procurement & Asset Disposal Act describes some criteria for eligibility to bid for a procurement contract. Identify five persons who are not eligible to bid for procurement contracts. **(5 marks)**

### QUESTION FOUR

- a) Public procurement processes should not be discriminatory. However, preference and reservations may be applied at times to enhance the economic and social development of certain persons and regions. Describe five categories of persons and groups to which preferences and reservations may apply. **(10 marks)**
- b) A public entity may dispose an asset by an appropriate method. Highlight five methods that the accounting officer of a public entity may use to dispose an asset. **(5 marks)**