



# MERU UNIVERSITY OF SCIENCE AND TECHNOLOGY

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## University Examinations 2013/2014

FIRST YEAR, FIRST SEMESTER EXAMINATION FOR CERTIFICATE IN PURCHASING  
AND SUPPLIES

### CPS 0106: INTRODUCTION TO LEGAL ISSUES IN PROCUREMENT

DATE: DECEMBER 2013

TIME: 1 ½ HOURS

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**INSTRUCTIONS:** Answer question *one* and any other *two* questions

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#### QUESTION ONE – (30 MARKS)

- (a) Define the term procurement. (2 Marks)
- (b) Briefly explain four procurement rules in public procurement. (8 Marks)
- (c) Discuss the following procurement procedures;
  - (i) Direct procurement
  - (ii) Restricted tendering
  - (iii) Request for proposals
  - (iv) Request for quotations. (12 Marks)
- (d) Explain four remedies for the breach of contract. (4 Marks)
- (e) Differentiate between
  - (i) Open national tendering
  - (ii) Open international tendering. (4 Marks)

#### QUESTION TWO – (20 MARKS)

- (a) Discuss the functions of the following bodies involved in the regulation of public procurement:
  - (i) Public Procurement Oversight Authority (PPOA)
  - (ii) Public Procurement Oversight Advisory Board (PPOAB)
  - (iii) Public Procurement Administrative Review Board (PPARB) (15 Marks)
- (b) Briefly explain five challenges of procurement system before the introduction of Public Procurement and Disposal Act (PPDA) 2005. (5 Marks)

**QUESTION THREE – (20 MARKS)**

- (a) Explain the meaning of the law of contract. (2 Marks)
- (b) Discuss five essential elements of a valid contract. (10 Marks)
- (c) Discuss four factors involved in formation of a contract. (8 Marks)

**QUESTION FOUR – (20 MARKS)**

- (a) Briefly explain open tendering process. (10 Marks)
- (b) Discuss the differences and similarities between public and institutional procurement and in the private sector. (10 Marks)

**QUESTION FIVE – (20 MARKS)**

- (a) Explain five functions of a tender committee. (10 Marks)
- (b) Briefly discuss five qualifications for a person to be awarded a contract. (10 Marks)