GPSA Establishment order and its subsequent amendment, GN No 133/2012 (The executive Agency (GPSA) Establishment) (Amendment) Order 2012
THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF INFRASTRUCTURE DEVELOPMENT

GOVERNMENT PROCUREMENT SERVICES AGENCY (GPSA)

ESTABLISHMENT ORDER 2007

SUBSIDIARY LEGISLATION

(supp. No.42 of 7th December 2007)
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Government Notice No.235 published on 7.12.2007

EXECUTIVE AGENCIES ACT 1997
(CAP 245)

ORDER
(Made under section 3)

THE EXECUTIVE AGENCIES (THE GOVERNMENT PROCUREMENT SERVICES AGENCY)
ESTABLISHMENT ORDER 2007

1. This order may be cited as the Executive Agencies (the Government Procurement Services Agency) establishment Order 2007 and shall come into effect on the date of publication.

2. There is established the Government Procurement Services Agency to be known by the acronym GPSA to take over the functions currently performed by the Government Stores Department in the Ministry of Infrastructure Development.

3. Government responsibilities, powers, accountability and other matters relating to Government Procurement Services Agency shall be as specified in the Framework Document set out in the Schedule to this order.
SAFETY REFERENCE

MINISTERIAL FOREWORD

The Government of Tanzania is firmly committed to implement Public Service Reform Programme. One component of the reforms is the formation of Executive Agencies. It is with this spirit that the Ministry of Infrastructure Development decided to transform the operational functions of the Supplies and Services Department into an Executive Agency to be known as Government Procurement Services Agency (GPSA).

The importance of this transformation is to enable the Government Procurement Services Agency provide its services efficiently and effectively. The Ministry of Infrastructure Development shall ensure that necessary assistance is availed to the Agency to enable it deliver quality procurement services to the Government and non Government Institutions.

I would like to extend my sincere congratulations to the Agency Implementation Team, GPSA staff, President’s Office, Public Service Management and other stakeholders for their commitment and tolerance made during the set up process. I am glad to see that their efforts have resulted into establishment of GPSA.

I therefore, wish the Chief Executive and members of staff every success in making GPSA an efficient Agency in the delivery of Public Service.
INTRODUCTION

The history of the Government Procurement Services Agency (GPSA) goes back to 1901 when the German colonial rule established the first Depot (Government Stores) at Bagamoyo for the purpose of providing supplies ranging from hardware (building materials), motor vehicle spare parts and accessories, household appliances and uniforms for the Government staff. Later on, in 1945 Government Stores was transferred to Dar es Salaam (present premises) where the services of clearing and forwarding and provision of petroleum (fuel and lubricants) products were also taken on board.

In 1952, in a bid to create efficiency, the Colonial Government transferred to the Government Stores the function of provision of office stationeries which was formerly the responsibility of the Government Printer. The aim was to make the Government Printer concentrate on printing work and to let the Government Stores handle issues of storage and distribution. Depots were established in the eight administrative centres of Dar es
Salaam, Tanga, Mtwara, Morogoro, Kigoma, Arusha, Mwanza and Tabora to ensure that supplies would be available across the country. Over the years, the number of depots remained the same until the time of Independence in 1961 when four new depots were opened at Kilimanjaro, Dodoma, Mbeya and Lindi. In addition the Government decided to recapitalise the Government Stores by establishing a special fund known as the Government Stores Fund with a capital of Tanzanian shillings 24.6m. This fund was established under section 17 (3) of the Exchequer and Audit Ordinance of 1961.

By 1972 the number of depots had increased from twelve to twenty. This was done in tandem with Government’s decision to decentralise certain administrative functions to the regions. At the regional level, Government Stores was operating under the Office of Regional Development Director until 1986 when it was transferred to the Ministry of Works.

In 1980 Government Stores was restructured to become a Department of Supplies and Services headed by a Director who also had the additional role of supervising the development of supplies and warehouses professionals within the civil service, which was the responsibility that belonged to Treasury. The
enactment of the Public Procurement Act No. 21 of 2004 through which Ministries, Departments and Agencies were given

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the freedom to source common use items from the open market was another important stage in the history of Supplies and Services Department. The Department was given an additional role of arranging and managing framework contracts for common use items, works and services for all MDAs. The roles and objectives of the Supplies and Services Department have been tuned to cope with the on-going government reforms and in response to the technological advancement and market changes. In order to deliver its services effectively and efficiently, the Supplies and Services Department is restructured to operate as a Government Executive Agency known as Government Procurement Services Agency (GPSA).

This document describes the framework within which GPSA will operate as an Executive Agency.

2.0 STATUS, GOVERNANCE AND STRUCTURE

2.1 GPSA) in accordance with the Executive Agency CAP.410 came into force. GPSA takes over all functions of the Supplies and Services Department under the Ministry of Infrastructure Development.

The Government Procurement Services Agency has been established to achieve the following objectives:
(i) To provide adequate quality supplies at competitive prices

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(ii) To provide Clearing and Forwarding and Consultancy services that ensure value for money

(iii) To provide safe and secure warehousing and storage facilities

(iv) To manage framework agreements for common use items, works and Services

(v) To maintain a register of suppliers for common use items services and works.

(vi) Ensure well managed and sustainable Agency

2.2 Governance:

GPSA will be managed by the Chief Executive appointed by the Minister for Infrastructure Development for a term not exceeding five (5) years or as specified in the instrument of appointment.

The Chief Executive shall be directly answerable to the Permanent Secretary who oversees the interests of the Ministry and the Government in general and responsible for policy and strategic management of the Agency.

There shall be the Ministerial Advisory Board (MAB) which shall advice the Minister on the direction and performance of the Agency.
2.3 Organization Structure:

At the time of launching the Chief Executive shall be assisted by three (3) Directors and two (2) heads of Units who will be supported by Managers. The Chief Executive, Directors and Heads of Units will constitute the Management Team of the Agency. The number and responsibilities of Directors, Heads of Units and Managers may be reviewed periodically according to the business needs of the Agency.

The specific activities and responsibilities of the Divisions and Units are as follows:

**BUSINESS SUPPORT SERVICES DIVISION:**

- Advice the Chief Executive on Financial Management matters of the Agency.
- Oversee all matters patterning to Human resources management
- Coordinates human resources acquisition, development and appraisal systems
- Coordinates Strategic Planning and Budgeting in the Agency.
- Establish and implement financial and physical resources management system.
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- Ensuring Cross-cutting Issues are addressed in the Strategic Plans
- Ensuring effective use of Physical and financial resources.

- Maintains the Agency’s Management Information System.
- Oversee Marketing and Public Relations Issues
- Developing and Managing the Agency Database and Information
- Establish and implement performance management system
- Managing the Agency Estates
- Undertake any other duties as may be directed by the Chief Executive.

**OPERATIONS DIVISION**

- Advice Chief Executive on matter related to Agency’s Operations
- Managing the functions of the Division
- Formulating and implementing short and longterm work programmes
- Formulating and supervising an efficient fleet management system.
- Managing the clearing and forwarding function.
• Developing and implementing proper materials management systems to ensure availability of quality supplies to all depots
• Ensuring a proper and economical usage of storage and warehousing space.
• Undertake any other functions as may be directed by the Chief Executive.

PROCUREMENT DIVISION
• Advice the Chief Executive on Agency’s Procurement functions.
• Coordinating Procurement and Tendering Process
• Formulating and overseeing the implementation of Procurement of Common use items through framework contracts
• Ensuring compliance to Public Procurement Act No 21 of 2004 and its Regulations
• Build Professional capacity in advisory and consultancy services related to procurement
• Maintain a Register of Suppliers for common use items, services and works
• Undertake any other functions as may be directed by the Chief Executive.

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INTERNAL AUDIT UNIT

• Advice the Chief Executive on internal control and accounting procedures of GPSA
• Auditing all GPSA Accounts at Headquarter and Regional Offices
• Prepare reports as required by Public Finance Regulations and Agency’s Accounting Manual

LEGAL UNIT

• Advice the Chief Executive on legal matters
• Oversee Legal and Institutional reforms

• Undertaking any other Legal assignment as may arise

REGIONAL OFFICES

• Manage all GPSA Properties in the Region
• Prepare Plan and Reports as per GPSA Financial and operational Manuals
• Provide Procurement Professional Assistance in the Regions
• Ensure availability of adequate supplies
• Represent the Chief Executive at all Regional meetings that require the input of the Chief Executive.
GPSA’s ORGANISATION STRUCTURE
3.0 AIM, VISION, MISSION

3.1 Aim
GPSA aims at ensuring availability of adequate and quality procurement services to the government and non-government institutions in a sustainable and cost effective manner.

3.2 Vision
Most reputable and responsive procurement Agency in Tanzania by 2020

3.3 Mission
To provide effective and efficient procurement services to the government and non-government institutions.

3.4 KEY RESULT AREAS (KRAs):
   (i) Re-tooling and infrastructure development
   (ii) Management and operational system
   (iii) Human Resource Management and Development
   (iv) Management of Financial and Physical Resources.
   (v) Marketing
### 3.5 KEY RESULT AREAS AND STRATEGIC OBJECTIVES

#### 1.0 Key Result Area 1 - Re-tooling and infrastructure development

<table>
<thead>
<tr>
<th>S/N</th>
<th>Strategic Objectives</th>
<th>Key Performance Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Handling and distribution of goods in warehouses improved by 20% from the current capacity by June 2010</td>
<td>% increase of handling capacity.</td>
</tr>
<tr>
<td>1.2</td>
<td>Storage capacity for fuel increased by 10% from the current capacity by June 2010</td>
<td>% increase of storage capacity.</td>
</tr>
<tr>
<td>1.3</td>
<td>Stores losses caused by poor storage conditions reduced by 60% from the current situation by June 2010</td>
<td>% of stock damaged against the stored stock.</td>
</tr>
<tr>
<td>1.4</td>
<td>80% of staff expressing satisfaction with the office environment by June 2010</td>
<td>% of staff expressing satisfaction with office environment.</td>
</tr>
</tbody>
</table>

#### 2.0 Key Result Area 2 - Management and operational system

<table>
<thead>
<tr>
<th>S/N</th>
<th>Strategic Objectives</th>
<th>Key Performance Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>Information retrieval times improved by 30% from the current situation by June 2008.</td>
<td>Time taken to retrieve information.</td>
</tr>
<tr>
<td>2.2</td>
<td>Procurement processing time</td>
<td>Procurement time</td>
</tr>
</tbody>
</table>
Customers and suppliers complaints reduced by 20% by June 2009

50% of Managerial Staff having received Management training by June 2010.

80% of Agency’s targets being achieved within the specified time by June 2010

Decision making time reduced by 20% by June 2010.

Organizational set up and restructuring completed by June 2009.

50% of the Agency staff having attended one training course in their area of specialization by June 2010

HIV/AIDS awareness programme initiated by June 2008

<table>
<thead>
<tr>
<th>Strategic Objective</th>
<th>Key Performance Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3 Customers and suppliers complaints reduced by 20% by June 2009</td>
<td>Number of complaints registered</td>
</tr>
<tr>
<td>2.4 50% of Managerial Staff having received Management training by June 2010.</td>
<td>Number of Managers trained</td>
</tr>
<tr>
<td>2.5 80% of Agency’s targets being achieved within the specified time by June 2010</td>
<td>Number of targets achieved</td>
</tr>
<tr>
<td>2.6 Decision making time reduced by 20% by June 2010.</td>
<td>Time taken to make decisions</td>
</tr>
</tbody>
</table>

3.1 Organizational set up and restructuring completed by June 2009. | Approved organizational set up and restructuring |
| 3.2 50% of the Agency staff having attended one training course in their area of specialization by June 2010 | Number of staff trained |
| 3.3 HIV/AIDS awareness programme initiated by June 2008 | Percentage of staff sensitized |

4.0 Key Result Area 4 – Management of Financial and Physical Resources

<table>
<thead>
<tr>
<th>Strategic Objective</th>
<th>Key Performance Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/No</td>
<td>Strategic Objective</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4.1</td>
<td>Capital position improved by 25% by June 2010.</td>
</tr>
<tr>
<td>4.2</td>
<td>Financial management systems improved by June 2009.</td>
</tr>
<tr>
<td>4.3</td>
<td>Asset management system improved by June 2008</td>
</tr>
</tbody>
</table>

**5.0 Key Result Area  5 – Marketing**

<table>
<thead>
<tr>
<th>S/No</th>
<th>Strategic Objective</th>
<th>Key Performance Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>Market share for government supplies increased by 25% by June 2009</td>
<td>Percentage of market share increase</td>
</tr>
<tr>
<td>5.2</td>
<td>80% of MDAs aware of the goods and services offered by the Agency by June 2010</td>
<td>Number of MDAs using GPSA’s services.</td>
</tr>
<tr>
<td>5.3</td>
<td>70% of the Agency marketing staff trained in marketing skills by June 2009</td>
<td>Percentage of staff trained in marketing</td>
</tr>
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3.6 Performance criteria

The Ministerial Advisory Board will regularly assess the performance of the GPSA based on the Strategic Plan prepared by the Agency. Assessments will be based on regular performance reports submitted to the Minister and in that regard; particular attention will be paid to the following areas:

3.6.1 Quality of Service

(i) Provision of quality procurement services.
(ii) Compliance with international and national obligations;
(iii) In-house monitoring and evaluation for the improvement of service and effective feed back system;
(iv) Timely delivery of services and reports.

3.6.2 Operational efficiency

(i) Prompt preparation and billing of charges for goods and services provided;
(ii) Use of best and transparent internal procedures for procurement of goods and services
(iii) Timely payment for goods and services received;
(iv) Effective application of management information systems in all sectors of the Agency to raise productivity levels; and

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(v) Improvement of cost: revenue ratio.

### 3.6.3 Financial performance

(i) Prompt collection of revenues;

(ii) Timely and accurate production of financial reports;

(iii) Clean Audit reports;

(iv) Effectiveness and transparency of the procurement and stock control systems; and

(v) Increased level of investments.

### 4.0 RESPONSIBILITIES OF THE MINISTER

1. The Minister for Infrastructure Development is responsible for determining the policy framework and the operational boundaries within which GPSA operates and the financial resources that are to be made available to the Agency.

2. The Minister for Infrastructure Development shall be responsible for appointing the Chief Executive and Members of Ministerial Advisory Board and for ensuring that the Government and the Public derive maximum benefit from the creation of the Agency.
3. The Minister shall be responsible for the general direction and control of the Agency and shall have the general responsibility of organizing, carrying out, and encouraging measures for development of a sustainable GPSA.

4. The Minister shall not be involved in the day-to-day management of GPSA. However, the Chief Executive may consult the Minister on the handling of operational matters that are likely to give rise to significant Public or Parliamentary concern.

5.0 RESPONSIBILITIES OF THE PERMANENT SECRETARY

The Permanent Secretary, being Principal Accounting Officer, has an overall responsibility to the Minister on matters concerning voted funds, and is the principal policy advisor to the Minister on GPSA activities.

The Permanent Secretary shall be responsible for the strategic management of GPSA and for this purpose, may give directions to the Chief Executive but with due regard to the need to uphold GPSA’s autonomy in the day-to-day management of its affairs.
The Permanent Secretary will receive appeals of the employees who are aggrieved by the decisions of the Chief Executive as stipulated by the Executive Agencies Act No.30 of 1997.

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The Permanent Secretary shall be the chairperson to the Ministerial Advisory Board.

The Permanent Secretary shall take into account the overall government policies, and the business case presented, decide whether the intention of Chief Executive to borrow money or to acquire or dispose of immovable property are acceptable. The Permanent Secretary shall review and approve Key targets as agreed in the Strategic and Business Plans.

The Permanent Secretary will promote interests of GPSA and keep the Chief Executive aware of higher level of government thinking.

6.0 THE RESPONSIBILITIES OF THE CHIEF EXECUTIVE:

The Chief Executive is responsible for managing GPSA within the terms of this Framework Document and the Executive Agencies Act No. 30 of 1997 its amendments and its Regulations.
The Chief Executive is the Agency’s Accounting Officer and shall specifically be responsible for:

(i) Day to day operations of the Agency

(ii) Prepare and implement Strategic and Business Plans and associated budgets.

(iii) Propose the strategies that will enable the Agency to meet its objectives and targets.

(iv) Appoint and effectively manage the employees of the Agency in accordance with the Executive Agencies Act No. 30 of 1997 and its amendments and the Public Service Act No. 8 of 2002 and their respective Regulations.

(v) Organize and manage assets and resources allocated to the Agency in accordance with the principles of fairness as outlined in Government policies, and legislations Financial Regulations.

(vi) Prepare annual reports and financial statements in accordance with the Public Finance Act and its regulations
for submission to the Permanent Secretary and the Minister for Infrastructure Development.

(vii) Mobilize and negotiate for resources.

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### 7.0 THE RESPONSIBILITIES OF THE MINISTERIAL ADVISORY BOARD

The Ministerial Advisory Board shall give advice to the Minister on the following:-

(i) The development and maintenance of a policy framework.

(ii) The objectives of GPSA.

(iii) The acceptability of the Chief Executive’s Strategic and Business Plans and associated budgets.

(iv) The setting of priorities and annual performance targets for the Agency.

(v) The acceptability of the Annual report and financial statement

(vi) The evaluation of the Agency’s performance.

(vii) Any other matter provided for under the Executive Agencies Act No.30 of 1997 and subsequent Amendments.
The Ministerial Advisory Board (MAB) shall hold its meeting as often as the chairperson may determine, but not less than twice each financial year. The Chief Executive shall be an ex-officio member of the Ministerial Advisory Board.

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**8.0 ACCOUNTABILITY**

**8.1 Accounting Officer’s Responsibilities:**

The Permanent Secretary is the Principal Accounting Officer for the Ministry of Infrastructure Development and as such shall be responsible for ensuring a high standard management of financial and physical resources allocated to GPSA.

The Chief Executive is the Agency’s Accounting Officer, and therefore, accountable for ensuring the propriety and regularity of revenue and expenditure, for prudent and economical administration. He shall ensure that the Agency’s Financial Regulations, Accounting Manual, adhere to the requirements of the Ministry of Finance.

The Chief Executive shall be responsible for establishing proper management systems and as such shall take due account of the Financial Regulations issued by the Ministry of Finance and the Human Resource Management guidance issued by the
President’s Office - Public Service Management and shall also put into effect the recommendations acceptable by the Government from the Public Accounts Committee and other Parliamentary Committees.

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8.2 Public Accounts Committee

The Permanent Secretary and Chief Executive may be required to appear before the Public Accounts Committee at any time for hearing on matters relating to GPSA. Where the Committee’s interest is in the operations of the GPSA, the Minister will normally regard the Chief Executive as the person best placed to appear.

8.3 Parliamentary and other inquiries

The Chief Executive shall work closely with the Minister to prepare formal replies to the questions raised by Members of Parliament, which fall within the responsibilities of the GPSA. Members of the Parliament are encouraged to deal directly with the Chief Executive in matters which are the responsibility of the Agency.

9.0 FINANCE, PLANNING AND STRATEGIC CONTROL

9.1 Funding
GPSA’s resources requirements will be met from the revenue collected from sales of stores, fees and charges for services rendered, supplements as shown to be necessary in the Agency’s Business Plan by Government subventions, credits and grants.

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GPSA’s expenditure will be subject to monthly, quarterly and annual monitoring and review.

9.2 Strategic and Business Plans

Chief Executive of GPSA shall prepare for approval by the Permanent Secretary, a Strategic Plan covering a period of three years and a Business Plan covering one year, which give details of operations.

9.2.1 Strategic Plan

The Strategic Plan shall cover a period of 3 years; rolled forward and updated annually. It shall reflect the outcome of the review of the set performance criteria and shall include the following:-

(i) The Chief Executive’s strategies for achieving GPSA’s aim and objectives,

(ii) Strategic performance targets.

(iii) An assessment of the external factors which influence GPSA’s activities including key planning assumptions about the services and resources to be provided;

(iv) A capital expenditure program;
(v) Efficiency objectives and business plans.

9.2.2 Business Plan
The Business Plan will set out in more details GPSA’s activities for one year covering part of the Strategic Plan period, and will include:-

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<thead>
<tr>
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<tbody>
<tr>
<td>(i) Key performance targets set by the Permanent Secretary</td>
</tr>
<tr>
<td>(ii) Priorities and other performance targets</td>
</tr>
<tr>
<td>(iii) Budgets including estimated profiles of revenue and expenditure</td>
</tr>
<tr>
<td>(iv) Work programs</td>
</tr>
<tr>
<td>(v) Key assumptions which include resources likely to underpin performance targets</td>
</tr>
<tr>
<td>(vi) Efficiency plan including initiatives to improve performance, value for money and quality of service</td>
</tr>
</tbody>
</table>

9.3 Approval
The Permanent Secretary or the Chief Executive may seek to review the Business Plan in the course of the year to reflect changes in policies, resources or priorities.

Approvals of these plans will constitute authority for GPSA to conduct its operations without undue interference by the Ministry.
**9.4 Annual Reports and Accounts**

The Chief Executive shall submit an Annual Report and Financial Statements to MAB, the Permanent Secretary and the Minister within four (4) months after the end of each financial year. The report shall be published and made available to relevant authorities containing the following:-

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(i) A copy of the audited financial statements of GPSA together with the Auditor’s report on those statements;
(ii) A report on performance against key targets;
(iii) A report on the operations of GPSA during that financial year; and
(iv) Any other information as may be required by the Permanent Secretary.

The Annual Report will also contain the annual performance agreement between the Permanent Secretary and Chief Executive.

**9.5 Financial Delegation**

The Chief Executive has the authority to approve all expenditure which is consistent with the approved Strategic and Business Plans and which is in accordance with his letter of delegations.

The Chief Executive shall ensure that appropriate investment appraisal of all capital expenditure projects is carried out, taking into account of such guidance as the Ministry of Finance
or the President’s Office-Public Service Management may issue from time to time. Major capital expenditure areas will be considered in the context the approved of Strategic and Business Plans.

GPSA will undertake post implementation review to determine whether set objectives have been achieved.

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9.6 Value for Money
The Chief Executive is responsible for obtaining value for money in the procurement of goods, works and delivery of services. Accordingly, the Chief Executive will implement a range of efficiency measures in accordance with the agreed programme and timetable set out in Strategic and Business Plans. The Chief Executive is responsible for maintenance of standards and value for money of any work contracted out and ensuring that the security and confidentiality are maintained.

9.7 Internal Audit
The Chief Executive is responsible for ensuring that adequate arrangements exist for the provision of an internal audit service. The Internal Auditing shall be done in accordance with the standards set by the Ministry of Finance, and National Board of Accountants and Auditors and GPSA’s Accounting Manual.
The Internal auditor to the Ministry of Infrastructure Development shall have the right to access the Agency to perform work necessary to give independent assurance to the Principal Accounting Officer (Permanent Secretary). The Permanent Secretary shall receive copies of all internal audit reports.

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9.8 External Audit
GPSA is subject to external audit by the National Audit Office of the United Republic of Tanzania which has the right to conduct interim audits, special audits and value for money studies relating to GPSA’s activities.

9.9 Budget Flexibility
The Chief Executive shall have the powers, which shall be exercised in accordance with the Ministry of Finance Guidelines, and the limits set out in the Executive Agencies (Finance, Procurement and Store) Regulations of 1999, Public Procurement Act No. 21 of 2004 and Public Finance Act No. 6 of 2001 with their respective regulations on the following:

9.9.1 Capital Expenditure
The Chief Executive shall have the powers in relation with the capital expenditure to:

(i) Authorize capital expenditure on individual capital projects.
(ii) Transfer resources allocated to one item in the budget to another;
(iii) Carry over in full to the next financial year any under spent amount on capital provisions from the previous financial year.

9.9.2 Running Costs

The Chief Executive shall have the powers in relation with the running costs to:

(i) Manage all running costs allocations as a single budget;
(ii) Transfer resources allocated to one item in the budget to another’; and
(iii) Carry over in full to the next financial year any under spent amount on running costs from the previous financial year.

9.9.3 Assets and Liabilities
In consultation with the Permanent Secretary the Chief Executive may:

(i) Authorize all write-offs and special payments.
(ii) Authorise the disposal of assets in accordance Public Finance Act of 2001 and Public Procurement Act No. 21 of 2004 and their respective Regulations.
9.9.4 **Procurement of goods, works and services**

Procurement of goods, works and services shall be done in accordance with the Public Procurement Act No. 21 of 2004.

**10.0 PERSONNEL**

**10.1 Status and conditions of services**

The GPSA staff are Public Servants, as such their terms and conditions of service will be based upon the Executive Agencies Act No. 30 of 1997 and (Personnel Management) Regulations of

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1999 as amended from time to time by the President’s Office, Public Service Management and in accordance with the Public Service Act No. 8 of 2002 and its Regulations of 2003.

**10.2 Personnel Management**

The Chief Executive is responsible for the Personnel Management of GPSA staff as set out in this Framework Document and the Executive Agencies Personnel Regulations of 1999 and as laid down in the labour laws of Tanzania. He is responsible for ensuring that an equal opportunities policy is formulated and implemented. Within these parameters he may introduce such changes as are necessary to maximize the GPSA’s efficiency and effectiveness.

**10.3 Staff Compliments and Relations**
The Chief Executive shall be responsible for managing the affairs of the Agency efficiently and effectively. The end result is to establish and keep up to date the GPSA’s staff cohesion and team spirit.

The Chief Executive is required to foster good staff relations as an important aid to the achievement of the GPSA’s objectives, and to ensure effective communication and consultation between the staff and their Trade Union.

Staff retains the right to appeal to the Permanent Secretary on Personnel matters in the event of being dissatisfied by any decision made by the Chief Executive.

10.4 Staff Health and Safety.
The Chief Executive is responsible for the health and safety of GPSA’s staff in the working place and for complying with all relevant legislation and regulations and in this regard, shall consult with staff and their recognized Trade Union representatives on health and safety matters. Besides, the Agency will have action plan to cater for HIV/AIDS pandemic.

11.0 REVIEW, AMENDMENTS AND PUBLICATIONS

11.1 Review
From time to time, but at least at intervals not exceeding five years, a review of this document shall be undertaken by the Minister for Infrastructure Development advised jointly by the Permanent Secretary, Ministerial Advisory Board and the GPSA’s Chief Executive.

### 11.2 Amendments

The Minister, Permanent Secretary and Chief Executive may at any time propose amendments to this Framework Document in the light of the Agencies operational experiences or any change of circumstances. Any such proposals for change shall be subject to consultation with the President’s Office, Public Service Management. Any change affecting personnel shall be subject to consultation with staff and recognized Trade Union representatives. The incorporation of changes shall be approved by Minister for Infrastructure Development, Minister responsible for Public Service Management as well as approval of the Chief Secretary.

### 11.3 Publications

Amendments to the order establishing GPSA including amendment to this Framework Document will be laid before Parliament in accordance with existing practice. Copies of Framework Document and further information about the Agency can be obtained from:
The Chief Executive,
Government Procurement Services Agency
P.O. Box 9150,
Dar es Salaam.
Off – Nyerere Road Keko Mwanga
Tel No. + 255222861617
          + 255222118869
          + 255222126608
Fax No.  + 255222866072
Email    gpsa.dar@gmail.com
1. This Order may be cited as the Executive Agencies (Government Procurement Services Agency Establishment) (amendment) Order, 2012 and shall be read as one with the Executive Agencies (Government Procurement Services Agency) establishment Order, 2007 hereinafter referred to as the “Principal Order”

2. The Principal Order is amended by deleting the phrase of “infrastructural development” appearing at the end of paragraph 2 and substituting for them the phrase “responsible for public procurement”.

3. The Principal Order is amended in the Schedule to the Order, by:

(a) Adding the phrase “Currently GPSA operates under the Ministry of finance and this is in accordance with the Ministers (Discharge of Ministerial Functions) Notice, 2010. GN 494/2010, where all the functions of public procurement are now vested in the Ministry of Finance “immediately after the word “Development” appearing in paragraph 2.1;

(b) Inserting the words “ and services” between the words “ supplies” and “at” appearing in paragraph 2.1 (1);

(c) Deleting the phrase “Minister for infrastructure development” where ever they appear in the schedule and substituting for them the phrase “Minister responsible for public procurement”

(d) Deleting the paragraph 2.3 and substituting for it with the following new paragraph.

“2.3 Organization structure:
At the time of launching, the Chief Executive shall be assisted by three (3) directors and four (4) Heads of Units who will be supported by Managers. The chief Executive, Directors of Divisions, Managers of Sections and Heads of Units constitute the Management Team of the Agency.
The number of members constituting the Management Team and functions and responsibilities vested in their respective offices may be reviewed periodically depending on the business needs of the Agency.

The functions of Divisions, Sections and Units within the Agency shall be as follows:-

2.3.1 BUSINESS SUPPORT SERVICES DIVISION:

(a) The general functions of the division shall be to:

(i) To Advice the Chief Executive on financial management, human resource and information communication technology matters.

(ii) To provide strategic inputs and services on Administration and Human Resources Management Section, and includes recruitment, Human resources development and training, promotion, retention, motivation, performance management and staff welfare;

(iii) To provide advice on organizational efficiency of the agency and business process improvement;

(iv) To provide technical advice on finance and accounts, information communication technology, estate management and marketing and sales; and

(v) To promote Agency’s programs and activities.

(b) The Division shall be headed by the Director of Business Support Services and shall be clustered into five (5) sections as follows:-

(i) Finance and Accounts Section,

(ii) Administration and Human Resources Management Section;

(iii) Information and Communication Technology Section;

(iv) Marketing and Sales Section; and

(v) Estates Management Section.

2.3.1.1 Finance and Accounts Section

The finance and accounts Section shall be under the immediate management of the Chief accountant, and shall undertake the following activities:-

(a) Maintain accounts and implement various accounting directives;

(b) Prepare various financial reports as per financial regulations;

(c) Maintain accounting documents, vouchers and complete register for batches;

(d) Authorize payments, sign and endorse cheques;
(e) Manage all Agency’s bank accounts;
(f) Prepare monthly debtors and creditors schedules;
(g) Verify and check authenticity of invoices and bills.
(h) Prepare payments of salaries;
(i) Ensure proper payroll management;
(j) Prepare and effect all authorized payments;
(k) Prepare pension claims and maintenance of records pensioners; and
(l) Collect and manage revenue according to guidelines.

2.3.1.2 Administration and Human Resources Management Section

This section shall be under the immediate management of the Administration and Human Resources Manager and shall undertake the following activates:-

(a) Provide office cleanliness, ground maintenance, messengerial services, office security and safety services;
(b) Provide office furnishing and retooling services;
(c) Provide registry services;
(d) Advice the management team on disciplinary matters;
(e) Advice the management team on recruitment, confirmation of employees and staff development scheme;
(f) Guide and coordinate preparation of Personal emolument estimates;
(g) Prepare terminal/leave benefits;
(h) Maintain and update staff records;
(i) Be focal point for gender, HIV/AIDS and Anti Corruption issues;
(j) Ensure that human resources practices comply with policies, Public service rules and regulation and standards of services of employees;
(k) Conduct periodic surveys to determine the prospective manpower demand and supply situations;
(l) Develop basic human resources statistics
(m) Translate and facilitate implementation of schemes of services;
(n) Coordinate Workers’ Council meetings;
(o) Facilitate and coordinate implementation of OPRAS in conformity with Public Service employment and Management policy and Public Service act of 2004;
(p) Advice the Management team on all matters pertaining to public relations;
(q) Coordinate and promote employee relations and social welfare including health, occupational safety, funeral and sports culture; welfare including health, safety, funeral and sports culture;
(r) Coordinate the outsourcing of security services, transport and general utilities.
(s) Coordinate the implementation and review of client’s service charter,
(t) Coordinate press briefings for the Agency; and
(u) Handle complaints and feedback received from the public and prepare reports.

2.3.1.3 Information and Communication Technology Section

This section shall be under the immediate management of the information and Communication technology Manager and shall undertake the following activities:

(a) Facilitate availability of internet services;
(b) Administer computer system and update software;
(c) Design and implement backup and recovery system
(d) Installation, configuration and activation of new technology and communication services;
(e) Initiate hardware and software procurement needs and maintenance;
(f) Advise on proper security of equipment and data by ensuring that equipment and systems are well secured;
(g) Maintain and update website and implement various web application programs;
(h) Coordinate development and maintenance of the Agency central Database;
(i) Facilitate the design of new systems, configure software packages according to user requirements, provide ongoing system enhancement and modification services;
(j) Design, develop and maintain database products according to user-specified needs;
(k) Provide advice on physical sites for computer system installations in order to provide a secure and safe environment, cabling systems and, where relevant, network connections as well as setting up and maintaining the network infrastructure and required performance levels;
(l) Provide user support services and provide training services to new and ongoing users;
(m) Undertake studies and propose areas of using IT as an instrument to improve service delivery in the Agency; and
(n) Facilitate e-Government and e-Business operation for the Agency.
2.3.1.4 Estates Management Section

This Section shall be under the immediate management of the Estate Manager and shall undertake the following activities;

(a) Manage Agency’s estates;
(b) Supervise construction and repair works of Agency buildings;
(c) Prepare preliminary engineering drawings of Agency structures, civil and mechanical works.
(d) Conduct research on proper utilization of Agency’s Assets and
(e) Prepare engineering estimates bill of quantities and budget for minor civil works.

2.3.1.5 Marketing and Sales Section

This section shall be under the immediate management of the marketing and sales Manager and shall undertake the following activities:

(a) Develop and implement marketing and sales strategies and plans to promote business of the Agency;
(b) Identify and analyse customer requirements and advise the Management on proper course of action;
(c) Produce and disseminate documents such as brochures, articles, newsletters etc to inform the Public on the activities and the services offered by the Agency;
(d) Analyse marketing trends and advise the Management on proper course of action;
(e) Prepare sales forecasts and advise the Management on proper course of action; and
(f) Prepare periodic reports on marketing and sales.

2.3.2 OPERATIONS DIVISION

(a) The general functions of the Division shall be to:-

(i) Manage the warehousing, inventory, clearing and forwarding operations;
(ii) Develop and implement an efficient and effective fleet management system;
(iii) Develop, monitor, evaluate implementation of proper and economical usage of storage and warehousing facilities; and
(iv) Prepare, monitor and evaluate the implementation of safety and security programmes.

(b) The division shall be headed by the director of Operation and shall be clustered into two (2) sections as follows:

(i) Warehousing and Inventory Management Section; and
(ii) Clearing and Forwarding section.
2.3.2.1 Warehousing and Inventory Management Section

This section shall be under the immediate management of the warehousing and Inventory manager and shall undertake the following activities:

(a) Develop, monitor, evaluate and review implementation of proper inventory management systems;
(b) Store, issue and distribute unallocated stores;
(c) Carryout inspections and prepare reports;
(d) Maintain and review stock levels and determine order quantities;
(e) Maintain and ensure optimal use of handling equipment;
(f) Review monthly moved balance and determine dormant stocks;
(g) Plan and implement safety and security programmes; and
(h) Classify, codify and maintain inventory catalogue.

2.3.2.2 Clearing and Forwarding Section

This section shall be under immediate management of the clearing and forwarding Manager. The Section shall undertake the activities of clearing and forwarding on behalf of the Agency.

2.3.3 PROCUREMENT AND ADVISORY SERVICES DIVISION

(a) The general functions of the Division shall be to:

(i) Provide advisory and consultancy services on public procurement and
(ii) Formulate, monitor and evaluate the implementation of Procurement of Common use items through framework contracts.

(b) The Division shall be headed by the Director of Procurement and Advisory Services and shall be clustered into two (2) sections as follows:

(i) Procurement and Framework Contracts Management section; and
(ii) Consultancy and Advisory Services Section.

2.3.3.1 Procurement and Framework Contracts Management Section

This Section shall be under the immediate management of the Procurement and Framework Contracts Manager and shall undertake the following activities:

(a) Arrange for procurement of common use items and services by procuring entities through framework agreements/contracts;
Monitor and evaluate performance of MDAs and LGAs on the use of framework contracts and prepare reports;

Advise Procuring Entities on methods and type of contracts for procurement of common used items and services other than Framework Contracts; and

Compile and aggregate Procuring Entities requirements of common used items and services.

2.3.3.2 Consultancy and Advisory Services Section

This Section shall be under the immediate management of the Consultancy and Advisory Services Manager and shall undertake the following activities:

(a) Translate procurement policies and legislations and prepare guidelines to be implemented by the Agency;

(b) Carry out consultancy activities;

(c) Facilitate training on procurement and supplies management; and

(d) Provide technical advice on public procurement entities on procurement.

2.3.4 PROCUREMENT MANAGEMENT UNIT

(a) The general functions of the Unit shall be to:

(i) Manage all procurement and disposal by tender activities of procuring entity except adjudication and the award of contract;

(ii) Prepare and coordinate the Agency’s Annual Procurement plan and related budget;

(iii) Support the functioning of the Tender Board;

(iv) Implement the decisions of the Tender Board;

(v) Liaise directly with the Authority on matters within its jurisdiction

(vi) Check and prepare statements of requirements;

(vii) Act as a secretariat to the Tender Board;

(viii) Prepare tendering documents;

(ix) Prepare contracts documents;

(x) Prepare monthly reports for the Tender Board;

(xi) Maintain an archive of records of the procurement and disposal process;

(xii) Plan the procurement and disposal by tender activities of the Advertisements;

(xiii) Recommend procurement and disposal by tender procedures; and

(xiv) Prepare periodical reports.

(b) The Unit shall be head by the Principal Procurement Officer.
2.3.5 INTERNAL AUDIT UNIT

(a) The general functions of the Unit shall be to:

(i) Audit and report to management team on matters concerning proper control over the receipt, custody and utilization of all financial resources of the Agency.

(ii) Audit and report to management team on matters conformity with financial operational procedures and good accounting practice laid down in any legislation or any regulation or instruction issued under such legislation.

(iii) Audit and report on the correct classification and allocation of revenue and expenditure accounts

(iv) Audit and report on the reliability and integrity of financial and operating data of the Agency so that information provided allows for the preparation of accurate financial statements and other reports for the information of the Agency and the general public as required by legislation.

(v) Review and report on the systems in place used to safeguard assets, and as appropriate, the verification of the existence of such assets.

(vi) Review and report of operations or programs to ascertain whether results are consistent with established objectives and goals;

(vii) Review and report on the adequacy of action by the management in response to internal audit reports, and assisting management in the implementation or recommendations made by those reports and also, where appropriate, recommendations made by the controller and Auditor General.

(viii) Review and report on the adequate of controls built into computerized system in place in the Agency;

(ix) Prepare Strategic Audit Plans;

(x) Coordinate audit programs; and

(xi) Conduct performance audit on appraisal of development projects.

(b) The units shall be headed by the Chief Internal Auditor.

2.3.6 LEGAL SERVICE UNIT

(a) The General functions of the Unit shall be to:

(i) Provide legal advice and assistance to the Agency;

(ii) Participate in all negotiations that requires legal expertise;
(iii) Liaise with the Attorney General in all legal matters in relation to the Agency’s operations;
(iv) Represent the Agency in court proceedings and tribunals;
(v) Review standard contracts and procurement documentation to ensure their legal correctness and completeness;
(vi) Compile and Maintain contract registers; and
(vii) Represent the Agency in arbitration and conciliation.

(b) The Unit shall be headed by Principal Legal Counsel.

2.3.7 PLANNING, MONITORING AND EVALUATION UNIT

(a) The general functions of the Unit shall be to:
(i) Coordinate formulation and preparation of annual plans, business plans and medium term strategic plans;
(ii) Provide technical guidance and support for institutionalization of Strategic Planning and Budgeting process;
(iii) Participate in analysis of outsourcing of non-core functions (Private Sector Participation);
(iv) Monitor implementation of Annual Plans, Business Plans and Medium Term Strategic Plans;
(v) Prepare periodic performance reports;
(vi) Collect, study and analyze statistics needed in the formulation and implementation of plans and budgetary proposals;
(vii) Participate in preparing plans, programs and budgetary activities of the Agency and establishment of performance targets and indicators;
(viii) Provide technical support including institutionalization of M&E process within the Agency;
(ix) Undertake research and impact studies of plans, projects and programs undertaken by the Agency;
(x) Undertake service delivery surveys to collect stakeholders'/clients’ views on services rendered by the Agency; and
(xi) Coordinate mid-year and annual performance reviews.

(b) The Unit shall be headed by the Head of Planning, Monitoring and Evaluation.
2.3.8 REGIONAL OFFICES

(a) The functions of Regional Officers shall be to:

(i) Raise awareness and advise on framework contracts system to MDAs, LGAs and other public service institutions in the region;

(ii) Monitor and evaluate performance of MDAs and LGAs on the use of framework contracts in the region and prepare reports;

(iii) Aggregate requirements from Procuring Entities in the region and advise;

(iv) Provide technical advice on procurement in the region;

(v) Implement inventory management systems and prepare periodic reports;

(vi) Store and issue unallocated stores;

(vii) Implement safety and security programmes and prepare periodic reports;

(viii) Provide clearing and forwarding services;

(ix) Manage Agency’s estates in the Region;

(x) Handle administrative, human resources management and financial management in the region;

(xi) Implement ICT systems in the region;

(xii) Prepare regional Plans and budget and monitor their implementation; and

(xiii) Carryout marketing and sales of Agency’s supplies and services in the region and prepare periodical reports.

(b) The regional offices shall be headed by the Regional Manager
THE APPROVED ORGANISATION STRUCTURE OF GPSA
(Approved by Minister of State, President's Office-
Public Service Management on 11th March, 2011)