



**E.A. TECHNIQUE (M) BERHAD**

**TENDER BOARD COMMITTEE**

**2019**

# TENDER BOARD COMMITTEE

## TERMS OF REFERENCE

### INTRODUCTION

The Tender Board Committee (“TBC or Committee”) is established as a committee of E.A. Technique (M) Berhad (“EAT”) Board of Directors (“the Board”). The Committee is appointed by EAT Board of Directors for the purpose of overseeing the tendering process and monitoring the purchases of both operations and projects including capital expenditures of EAT and its subsidiaries for amount above US Dollar 1.0 million or equivalent.

### PURPOSE

The principles, objectives and method of procurement to be implemented should be in line with EAT’s corporate governance, vision, mission and values.

The principles of Procurement

- Accountability
- Transparency
- Best value for money
- Just and fair

The objectives of Procurement

- Best price for EAT without loss to others
- Growth of EAT and its subsidiaries
- Effective acquisition and disposal of assets
- A means to achieve EAT’s strategic objectives

The Methods of Procurement

- Direct purchase
- Quotation
- Tender
- Direct Negotiation

This Terms of Reference shall be accepted and adopted by EAT, which carries with its endorsement by the Board of Directors

The Committee objectives are as follows:-

- To ensure openness, integrity and accountability in EAT and its subsidiaries’ activities to safeguard the rights and interest.
- To review and examine all related matters and make necessary recommendation to ensure it aligned to the Company’s strategy
- To monitor construction project and/or refurbishment implemented according to the budget and duration as approved by the Board.

## COMPOSITION

- i. The Committee shall be appointed by the Board and shall consist of not less than 3 members
- ii. The Committee may invite other members of EAT Top Management (as ex-officio) or outside parties to attend and participate in the meeting of the Committee where necessary

## MEETINGS – FREQUENCY, QUORUM & MINUTES

- i. The Committee shall meet at such other times as the Committee deems to be appropriate
- ii. The quorum of the Committee shall be 2 members
- iii. The minutes of the meeting shall be action oriented and record the deliberations and decisions of the Committee. The minutes shall include compiled Board instructions as Matters Arising for discussion to ensure proper follow through

## AGENDA

- i. The notice and agenda of Committee Meeting shall be issued and circulated confirming the venue, time and date at least five (5) working days before each meeting to the committee members and all those who are required to attend the meeting
- ii. The relevant documents and information shall be circulated at least five (5) working days before each meeting to the committee members and all those who are required to attend the meeting. However document related to tender process will be distributed during the meeting.
- iii. The TBC meeting agendas shall be the responsibility of the Chairman with input from the TBC members. The Chairman may also invite members of Management and other persons to participate in this process, if necessary

## DUTIES AND FUNCTIONS

The duties and functions of the committee shall include but not limited to the following:-

- i. Monitor construction projects and/or refurbishment works are implemented according to the budget approved by EAT Board
- ii. Ascertain and report to the EAT Board on projects that are making slow progress and are potentially late for completion
- iii. Enquire with the Project Manager and Project Consultants on the necessary measures employed to ensure the quality of work and finishes according to the specifications
- iv. Review the process of awarding tenders for contract work to ensure that the contracts are fair, transparent and full of integrity
- v. Make enquiry and recommend to the Board for approval any Variation Orders (VOs) on the projects already approved
- vi. Visit building sites to view the completed projects or during work under progress as and when deemed necessary
- vii. Inform and advise EAT Board on any matters on concern pertaining to the construction projects undertaken by the Group

- viii. Approved qualified tenderers or any tender or quotation
- ix. Review and recommend to the Board for approval the Company's procurement policies and procedures including general evaluation criteria, anti-corruption policy and codes of conduct
- x. Oversee and monitor the overall implementation of the Company's Procurement Policy Guidelines and review the efficiency and effectiveness of the Company's procurement process

#### **REPORTING TO THE BOARD**

The Chairman of the Committee shall report to the Board following each meeting. The report will cover matters as set out in the Committee's duties and functions.

#### **ACCESS TO INFORMATION**

The Committee has the right to obtain all information necessary for the performance of its duties and functions including obtaining independent professional or other advice.

#### **REVIEW**

The terms of reference shall be reviewed every three (3) years to ensure that it reflects the current best practices in Tender Board Committee.