

# BIDDING PROCESS

DISCUSSANT

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# Provisions in the PPDA Law

- ◆ Where a project is to be financed or partially financed under BOO, BOT, BOOT, PPP or similar type of private sector arrangement, a PDE shall seek guidance from the Authority on the applicable procurement procedures and documents. (Reg. 243(2)).
- ◆ The procedures shall be in accordance with basic procurement principles of public procurement: transparency, accountability, fairness, competition and non-discrimination.

# Bidding



*(what works well with least costs and risks)*

- ◆ Open bidding should be the default method of public procurements including PPPs.
- ◆ Use of SBD – may customise SBD - No changes ITBs and GCC; ITB18.2 on bid security.
- ◆ The SD should be clear on Statement of Requirements, and/or technical specifications
- ◆ The SD should indicate evaluation methodology and criteria.

# Bidding: *Transparency*

- ◆ Publication for bid notice - at least in one publication of wide national/international circulation
- ◆ For Restricted bidding– documents dispatched at the same time to all providers on the short list?
- ◆ Providers confirm receipt of the documents

# Bidding

- ◆ Any addenda issued? - What was the cause of the addenda? - Was it necessary?
- ◆ Was it approved by CC – and issued to all at the same time:- confirm what the bidder is signing for.
- ◆ Record of issue/ sale of bidding document - Who bought the bid, and bid opening.

# RED FLAGS IN THE PUBLIC PROCUREMENT SECTOR-



## *What entails greater risks*

- ◆ Failure to implement procurement/work plans and carrying projects outside the plans.
- ◆ Use of wrong methods of procurement specifically the direct method affecting competition and value for money
- ◆ Tailored Specifications that limit competition
- ◆ Poor record keeping leading to lack of transparency and accountability due to no audit trail.



# SPECIFIC FAILURES IN THE PUBLIC PROCUREMENT SECTOR

- ◆ Failure to adhere to the evaluation criteria stated in the solicitation document leading to wrong award.
- ◆ Lack of involvement of the Contracts Committee in the various approvals of the procurement cycle.
- ◆ Forgery by Bidders of key documents e.g bid, advance payment and performance securities, audited books of accounts, turn-over, past experience, etc

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# Conclusion

Ensuring basic procurement principles in PPPs would contribute to the broader Government Accountability Program that is aimed at:

- Maintaining the rule of law
- Improving the business and investment climate
- ensuring value for money
- Enhancing service delivery





**END  
THANK YOU**