

The Public Procurement and Disposal of Public Assets Guidelines

*Guidelines issued by the Public Procurement and Disposal of
Public Assets Authority under Section 97 of the Public
Procurement and Disposal of Public Assets Act, 2003.*

Details covered in this Guideline:

Guideline Reference: 8/2014

Guideline Subject: Pre-qualification of Providers for a Group of
Contracts

Date of commencement: 3rd March 2014

*Guidelines are distributed to all Accounting Officers who are responsible for
distributing copies of this Guideline to the Contracts Committee and members of the
Procurement and Disposal Unit of the Procuring and Disposing Entity*

Guideline Subject: Pre-qualification of Providers for a Group of Contracts

In accordance with Regulation 22, of the Public Procurement and Disposal of Public Assets (Rules and Methods for Procurement of Supplies, Works and Non-consultancy Services) Regulations, 2014, and Regulation 13 of the Public Procurement and Disposal of Public Assets (Procurement of Consultancy Services) Regulations, 2014 when Procuring and Disposing Entities intends to issue a number of similar contracts over a period of time, they are required to conduct a pre-qualification exercise to obtain a list of pre-qualified providers who may be included on shortlists of providers invited to bid for future contracts. Details of the process are given below:

1. Standard Pre-qualification document:

- 1.1 The standard document for pre-qualification for a group of contracts shall be used where works, services or supplies are of a routine nature or bidding is for a group of similar contracts.
- 1.2 Pre-qualification shall be open to all providers.
- 1.3 It shall be mandatory for Procuring and Disposing Entities to issue the prequalification document.

2. The Pre-qualification process:

- 2.1 Procuring and Disposing Entities shall pre-qualify providers once every three years.
- 2.2 Thresholds for request for quotation/proposal, restricted domestic/ international bidding, micro procurement in the Guidelines shall be observed where there is a pre-qualified list of providers.
- 2.3 A pre-qualification notice shall be published in at least one publication of wide circulation to ensure effective competition at least two months before the end of the third financial year. The pre-qualification notice must comply with the requirements of Regulation 19 (4) of the Public Procurement and Disposal of Public Assets (Rules and Methods for Procurement of Supplies, Works and Non-consultancy Services) Regulations 2014.

3. Management of the List:

- 3.1 A fair and equal opportunity shall be accorded to all providers and there shall be no barrier created to deter competition.
- 3.2 Procuring and Disposing Entities shall ensure that there is rotation of different providers on successive shortlists.

4. Updating the List:

- 4.1 Procuring and Disposing Entities shall update their pre-qualified providers' lists at least annually. The list of pre-qualified providers shall be displayed on the Procuring and Disposing Entity's notice board for at least ten days following each update.
- 4.2 Existing providers should re-submit current documents in accordance with

Regulation 17 (3) of the PPDA (Evaluation) Regulations 2014, namely:

- i. Trading licence or its equivalent;
- ii. Certificate of registration of the bidder or its equivalent;
- iii. Signed statement of no conflict of interest; and
- iv. Any other relevant documents.

5. Adding New Entrants to the List:

5.1 Opportunity shall be afforded to possible new entrants to be included on shortlists. To ensure this, the Procuring and Disposing Entity shall comply with the provisions of Regulation 43 of the PPDA (Rules and Methods for Procurement of Supplies, Works and Non-consultancy Services) Regulations, 2014.

6. Non-Performing Providers:

6.1 The Procuring and Disposing Entity shall strike out from the pre-qualified list those providers that substantially or repeatedly breach the conditions of awarded contracts or are suspended by the Authority or fail to comply with the provisions of Regulation 17 (3) of the PPDA (Evaluation) Regulations 2014.

6.2 Procuring and Disposing Entities shall recommend suspension of non-performing providers to the Authority under Section 94 of the Act. The Procuring and Disposing Entities shall provide the contract management report as evidence of non performance.

7. Communication to Successful/Non-Successful Providers:

10.1 Procuring and Disposing Entities shall notify all providers (successful and non successful providers) in writing of the outcome of the pre-qualification exercise.

10.2 Procuring and Disposing Entities shall notify any providers struck out from the pre-qualified list, stating the reasons for their removal from the list.

10.2 Procuring and Disposing Entities shall, where requested by a bidder, provide a debrief on the pre-qualification process and the reasons for inclusion, non-inclusion or removal of the provider from the pre-qualified list.

Signed:



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Chairman of the Board of Directors Executive Director