

SECRET

Gombe State Of Nigeria

DUE PROCESS BUREAU

Government House, Gombe

Telegram:

Telephone

Our Ref: GH/DPO/ADM/S/33/VOL.1/14

Your Ref:



P.M.B.0011

Gombe State, Nigeria 5 JUNE, 2020

Date:

YOUR EXCELLENCY,

His Excellency may wish to recall that you graciously fast tracked the passage into Law, the establishment of Council on Public Procurement and Gombe State Public Procurement Bureau (Due Process Bureau) which was saddled with the responsibility of restoring and sustaining a strong workable system, practice and procedure anchored on transparency, integrity and competition in the procurement system of Gombe State in order to achieve value for money for the benefit of the people of Gombe State. The Bureau also has the responsibility of advising the Executive Governor on budgetary processes, project certification and implementation status as contained in the laid down functions of the Bureau.

His Excellency may also wish to recall that sometimes in late March, 2020 when Nigeria joined the other countries all over the world being affected by the dreaded COVID-19 Corona virus and you were proactive by appointing a task force committee to put in place a functional mechanism and structures in order to cater for break-out of the epidemic in Gombe State. This measure has actually proved to be a wise decision when at the initial stage, the state was free from the epidemic not until when returnees from other affected states brought in the virus into the state.

Your Excellency, we give glory to the Almighty Allah for your ability to take immediate action in establishing three isolation centers in the state for the purpose of isolating and treating infected persons. We are also happy for your prompt response in respect of curtailing the community spread of the virus .

Your Excellency sir, it is in view of the aforementioned, that we have reviewed and attached as an addendum to our earlier revised Procurement guidelines in respect to Covid 19 emergency for your approval.

Director General
GOVERNMENT OF KENYA
OFFICE OF THE DIRECTOR GENERAL
PROCUREMENT
05/06/2020
Babayola Mohammed Isa

Director General

DG
Approved

19/6/20

**GOMBE STATE PROCUREMENT GUIDELINES ON STRENGTHENING
PROCUREMENT FUNCTIONS DURING COVID-19/EMERGENCY
SITUATION AND THE FACILITATIONS OF SMES PARTICIPATION**

1.0 TYPES OF TENDERING to be adopted in the procurements

There are four types of tendering to put in practice by <<<>>>

(a) Open Tendering

This type of Tendering requires advertisement for pre-qualification on Notice Boards of MDAS, "Jewel News" or any reputable National Daily, in order to provide bidders equal opportunity and access to information.

(b) Selective Tendering

In this type of Tendering, at least three (3) Reputable contractors in specific areas of specialization are selected and invited to Bid.

(c) Proprietary Items Tendering (for special Items and Goods)

This is applicable only where the items to be procured are of the types that are marketed by Sole producers / Agents or Distributors e.g. equipments, machines or stationeries. Their prices can be Assessed/bench marked. By considering prevailing prices that are comparable quality and make. Resorts to internet where the applicable can help ascertain the prices. The Ministerial tenders board will then cross check and recommend for approval.

(d) Special And Restricted Method of Procurement (Rapid Response Services)

- (i) Procurements that are made owing to a state threatened by disaster, catastrophe, diseases insurrection or any act of God as the case of Pandemics of COVID - 19 presently ravaging the world or any other future emergency situations.
- (ii) Procurement Entity/Taskforce can only engage in direct procurement where there is an urgent need for the goods, works and services. And engaging in the procurement methods is impracticable due to unforeseeable circumstances giving rise to the urgency.
- (iii) Procurement Entity/Taskforce can engage in direct procurement where the urgent need for the goods, works and services, making it impracticable to use other methods of procurement because of the time involved in using those methods.
- (iv) Procurement Entity can engage in direct procurement/ single source where the services concerned state security.
- (v) Where a procuring entity engaged in single source/direct procurement, it must give reason and justification for it.
- (vi) After the procurement or immediately after the cessation of the emergency, the Procurement Entity/Taskforce shall file a detail report attached with relevant documents with the Due Process Bureau for the issuance of 'Final Certificate of No Objection' after verifying same.

ROLE OF SMES IN SPECIAL AND RESTRICTED METHOD OF PROCUREMENT

In an emergency, the threshold for the procurement Entity/ Taskforce for the procurement of goods, services and works that does not exceed Fifty Million Naira (N50,000,000.00) the procurement Entity/Taskforce shall patronize State Government registered SMES for the procurement of all emergency consumables with an Advance Payment of 40% on the contract sum.

The procurement of Face Masks, Hand gloves, Hand sanitizers, Sanitary soaps and Sanitary buckets for COVID-19 procurements as it relates to Corona virus Pandemic is to be handled by SMES and any other future unforeseeable emergencies. The State registered SMES are to be engaged on either a Single Source or Selective tendering procurement procedure with the relaxation of the following in the case of COVID-19 procurement:

- (i) Qualification criteria
- (ii) Average annual turn-over
- (iii) Average Cash flow
- (iv) Contract experience
- (v) Requirement for performance security

NOTE:

- (i) Creating an independent Account domicile with a reputable Commercial Bank and linked with TSA (COVID-19 DEDICATED ACCOUNT) to be operated by Chairman and Secretary of the Committee. All procurement requests by the committee are to be channeled through the relevant procurement entity to HIS EXCELLENCY the Executive Governor for approvals.
- (ii) There shall be a weekly report to His Excellency the Executive Governor on the expenses so incurred by the Committee.
- (iii) The Taskforce is to render in installments, procurement details attached with relevant documents to Due Process Bureau for Certification.
- (iv) All Signed and completed contracts to combat COVID-19 are to be published in the state's website

REQUIREMENTS FOR THE PUBLICATION OF COVID-19 EMERGENCY PROCUREMENT GUIDELINES

- (a) Name and address of the MDA undertaking the procurement and if different, the borrowers contracting agency.
- (b) Name and reference numbers of contract being awarded and the selection method.
- (c) Names of Bidders/Consultants that submitted bids/proposals and bid/proposal prices as read out at the bid/proposal opening.

(d) The name of the successful bidder/proposer/consultant; the final total contract price; the contract duration; and a summary of it's scope.

REQUIREMENTS FOR THE ISSUANCE OF NO OBJECTION IN EMERGENCY SITUATION

1. His Excellency's Approval.
2. The composition of the Taskforce/Committee.
3. Terms of reference of the Taskforce/Committee.
4. Name & Address of Taskforce Secretariat
5. The threshold.
6. Bill of Quantities (Specification/Term of Reference[TOR]).