



BUREAU OF PUBLIC PROCUREMENT

No. 11, Suleiman Barau Street, Presidential Villa Abuja FCT, Nigeria

EXPRESSION OF INTEREST (EOI) FOR THE DEVELOPMENT AND REVISION OF PUBLIC PROCUREMENT DOCUMENTS IN NIGERIA

1.0 INTRODUCTION

- 1.1 The Public Procurement Act (PPA), 2007 established the Bureau of Public Procurement (BPP) as the regulatory authority responsible for the monitoring and oversight of public procurement, harmonizing the existing government policies and practices by regulating, setting standards and developing the legal framework and professional capacity for public procurement in Nigeria.
- 1.2 Most of the public procurement documents currently in use for the conduct of public procurement by the Federal Government were developed since 2009 and are due for review and update. Experiences in using some have shown some inadequacies in catering for large, complex and dynamic nature of some procurement of goods, works and services. Consequently, the BPP wishes to engage the services of a consulting firm to review and update the existing regulations, manual and standard bidding documents and also produce additional documents that hitherto were not in existence in line with the objectives of the BPP.
- 1.3 The Bureau now invites proposals to provide consulting services for the review of the existing public procurement documents and update them including providing newer ones to reflect international best practices in public procurement. The detailed Terms of Reference (ToR) for the consultancy service will be made available in the Request for Proposal (RfP) to shortlisted firms.
- 1.4 The service will be procured as a **Lump Sum Contract** while the selection method will be **Quality Cost Based Selection (QCBS)** and is expected to be completed within **Eight (8) months** from the date of contact award.
- 1.5 Interested consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the service.

2.0 SCOPE OF SERVICE

2.1 This assignment will include amongst others the review of all existing procurement documents, update the document based on input from stakeholders' engagement, lessons learnt from previous practices, assessment of the market, Public Procurement Act, 2007, relevant national policies and international best practices. The existing procurement documents includes but not limited to the following:

- Public Procurement Manual;
- Public Procurement Regulation for Procurement of Services;
- Public Procurement Regulation for Procurement of Goods and Works;
- Standard Bidding Document for Procurement of Goods;
- Standard Bidding Documents for Procurement of Works (for both small and large works);
- Standard Request for Proposals for Procurement of Services (Lump sum & Time-based for individual, small and complex assignments);
- All public procurement related Circulars, etc.

2.2 The assignment will also include development of:

- Prequalification document for works;
- Prequalification document for goods;
- Standard Bidding document for goods;
- Standard Bidding document for works;
- Standard Request for Proposal for Non-consulting services (such as facility management, etc);
- Standard Request for Proposal for Management Information System (with and without prequalification);
- Prequalification and Standard Bidding Document for the Procurement of Health commodities (pharmaceuticals, vaccines, condoms etc)
- Bidding document for Framework Agreement;
- Bidding document for Procurement in fragile state;
- Bidding document for Preferential Procurement;
- Bidding document for Procurement of complex projects such as Engineering, Procurement and Construction (EPC) contracts;
- Disposal procedure and bidding document/ Reverse Auction Regulation;
- Defence procurement and Bidding Document/Regulation (Special Goods);
- Regulations for different aspects of public procurement practices such as Sustainable Public Procurement;

2.3 Advice on which document(s) to adopt and tailored to suit our National System amongst the myriad of standard bidding documents in existence globally, with special emphasis on Commonwealth Countries.

3.0 ELIGIBILITY CRITERIA:

- Evidence of being a legal entity registered with appropriate entity in country of origin. For Nigerian company, evidence of Registration with Corporate Affairs Commission (CAC);
- Evidence of current company's Tax Clearance Certificate or Personal Income Tax Certificates of all the Partners (in case of Business Name) for the last three years, i.e. 2017, 2018 & 2019, by inclusion of copy of certificates valid till 31st December, 2020 or its equivalence for foreign firms;
- Foreign firms must have a Nigerian Joint Venture (JV) Partner with JV agreement duly signed by all parties in the JV;

- Clearance Certificate from National Pension Commission as evidence of compliance with Pension Reform Act, 2004 (valid till 31st December, 2019) (Nigerian company only);
- Evidence of Registration on the National Database of Contractors, Consultants and Service Providers by inclusion of Interim Registration Report issued by BPP valid till 31st December, 2020 (Nigerian company only);
- Company's Audited Accounts for the last three (3) years - 2017, 2018 & 2019;
- Sworn affidavit not earlier than **Monday, 26th October, 2020**.
 - A sworn affidavit certifying that the company is not in receivership, insolvency or bankruptcy proceedings;
 - A sworn affidavit that no officer of the Bureau of Public Procurement is a former or present Director, Shareholder or has any pecuniary interest in the bidder.
 - A sworn affidavit that none of the Directors of the Company has been convicted for criminal offence in relation to fraud or financial impropriety in any court in Nigeria or elsewhere.
 - A sworn affidavit that all information presented in the bid is true and correct in all particulars.

4.0 OTHER REQUIREMENTS - EACH EOI NEEDS TO INCLUDE THE FOLLOWING ELEMENTS

- A cover letter expressing interest in the service to be provided;
- Organizational structure of the firm;
- Information on manpower with qualifications, technical and professional competence necessary for successful implementation of the assignment (including photocopies of academic and professional qualification, certificates and CVs);
- Consultant's overall profile (maximum 2 pages);
- Experience of firm/firms submitting the EOI in a tabular form including country of origin, client and similar donor funded projects, project title, project reference number, project value, number of national and international staff months' brief description of the consultant's role in the project similar (**list only the most relevant ones – maximum 5 pages**);
- List consultant's direct experience in development and revision of documents listed in 2.0 above;
- The firm must have a team with Consultants that have experience reviewing the following:
 - United Nations Commission on International Trade Law (UNCITRAL);
 - Any other International Model Public Procurement Law(s) will be an added advantage;
 - Core competence in public procurement law;
 - Development of country procurement policy for developing countries;
 - Public procurement reform;
 - Construction management;
 - Contract management and other relevant fields; and
 - At least 10 years working experience in development of bidding and contract document, public procurement policies, manual procedures and all supporting documentation such as Terms of References, contract templates and standard tender documents.
- The team members' experience must extend to having developed or review similar Manuals within the public sector, local, regional or international organizations preferable in a regulatory Organization. Samples of previous documents drafted and client references must be provided. Each reference must include: (i) company name and address; (ii) name, title, email address and phone number of company contact; knowledgeable about both the project and the quality of service provided or being provided; and (iii) A brief description of the project including dates.
- All documents for submission must be transmitted with a Covering/Forwarding Letter under the company's Letterhead bearing amongst others, the Registration Number as issued by the CAC (or its equivalence for foreign firms), Contact Address, Telephone Number (preferably Mobile Number) and official e-mail address. The Letterhead must bear the names and nationalities of the Directors of the company at the bottom of the page, duly signed by the authorized officer of the company.

5.0 SUBMISSION OF EOI DOCUMENT

5.1 Interested Firms are to submit Five (5) bound copies of Expression of Interest (EOI) documents, separated by dividers including softcopies of the EOI. The documents should be submitted in a sealed envelope and addressed to the **Director General, Bureau of Public Procurement, 11 Suleiman Barau Crescent, Presidential Villa, Abuja** and clearly marked with: **"THE DEVELOPMENT AND REVISION OF PUBLIC PROCUREMENT DOCUMENTS"**. Furthermore, the reverse of each sealed envelope should have the name and address of the bidder and should be deposited in the tender box at the **Procurement Department, Bureau of Public Procurement, 11 Suleiman Barau Crescent, Presidential Villa, Abuja** not later than **12:00 noon on Monday 21st December, 2020**.

6.0 Please note that:

- Only shortlisted companies will be invited for further consideration.
- EOI submitted after the deadline for submission shall be rejected and returned un-opened.
- This advertisement shall not be construed as a commitment on the part of BPP to appoint any consultant or award contract to any bidder, nor shall it entitle any consultant submitting documents to claim any indemnity from BPP.
- BPP is not bound to prequalify all bidders and reserves the right to annul the procurement process at any time without incurring any liability in accordance with Section 28 of the PPA, 2007
- Any form of canvassing from any source whatsoever shall attract immediate disqualification.

Signed:
Management
Bureau of Public Procurement