

**{Procuring and Disposing Entity
Crest or Logo}**

Republic of Uganda

{Name of Procuring and Disposing Entity}

Bidding Document for Disposal by public bidding and sale to public officers.

Subject of Disposal:	
Disposal Reference Number:	
Disposal Method:	
Date of Issue:	

PREFACE

The Standard Bidding Document (SBD) has been prepared by the Public Procurement and Disposal of Public Assets Authority for use by Procuring and Disposing Entities in the disposal of Public Assets. For the purpose of this document, disposal means the divestiture of public assets, including intellectual and proprietary rights and good will, and any other rights of a Procuring and Disposing Entity by any means, including sale, rental lease, franchise, auction. The procedures and practices presented in this SBD have been developed to reflect the requirements of the Public Procurement and Disposal of Public Assets Act No. 1/2003 and Public Procurement and Disposal of Public Assets Regulations, Statutory Instrument No.70/2003 and the best international procurement practices.

The Standard Bidding Document has been developed for use under the Public Bidding and Sale to Public Officers disposal methods. It may also be used for disposal under the Direct Negotiations method with appropriate modifications to the document. Care should be taken to ensure that the legal requirements for each method are captured while customizing the SBD. The SBD is designed for reasonably straightforward disposal process. Particular complex or high value disposal may require the use of an alternative document.

The Standard Bidding Document contains two types of documents, those that must be used unchanged, and those that should be customized especially for each disposal. An electronic version of this SBD is available from the Public Procurement and Disposal of Public Assets offices Located on Plot 1 Pilkington Road 14th floor Workers House or the Authority's Website www.ppda.go.ug. Explanatory notes on the use of this SBD are contained in user guide for use of the standard bidding document for disposal by public bidding and sale to public officers.

The Public Procurement and Disposal of Public Assets Authority welcomes any comments on these documents by users, which will assist in improving the documents, or correcting any errors.

EXECUTIVE DIRECTOR
Public Procurement and Disposal
of Public Assets Authority
P.O.BOX 3925
KAMPALA.

Standard Bidding Document

Table of Contents

Part 1:	Standard Invitation to Bid
	- Bid Notice
	- Invitation to Public Officers
Part 2:	Bidding Procedures
Part 3:	Description of Assets
Part 4:	Contract

Standard Format for Bid Notices

Invitation for Bids for the Sale of [Subject of Disposal]

Disposal Reference number.

The **[insert name of procuring and disposing entity]** intends to sell **[insert description of asset(s)]**. The **[insert description of asset(s)]** are sold on an “as is, where is” basis and the **[insert name of procuring and disposing entity]** will have no further liability after sale. **[Amend if different]**.

The **[insert name of procuring and disposing entity]** now invites sealed bids for the purchase of **[insert description of asset(s) being sold]**.¹

Bidding will be conducted in accordance with the Public Procurement and Disposal of Public Assets Act, 2003 of the Government of Uganda and is open to all bidders. **[Or state eligibility criteria, if any²]**.

Interested bidders may inspect the **[insert description of asset(s)]** at **[insert location for inspection]** on **[insert date(s) for inspection]** from **[insert hours for inspection]**.³

Interested bidders may obtain further information from **[insert name of procuring and disposing entity]** and inspect the bidding documents at the address given below, **[insert address at end of document]** from **[insert office hours]**⁴.

The Bidding Documents in **[insert language]** may be purchased by interested bidders on the submission of a written application to the address below **[state address at the end of document]** and upon payment of a non-refundable fee⁵ of **[insert amount in local currency]** or **[insert amount in specified convertible currency]**. The method of payment will be **[insert method of payment]**⁶. The document will be sent by **[insert delivery procedure]**⁷. No liability will be accepted for loss or late delivery.

Bids must be delivered to the address below at or before **[insert time and date]**. Late bids shall be rejected. Bids will be opened in the presence of the bidders’ representatives who choose to attend at the address below at **[insert time and date]**⁸.

[Insert name of office and name of officer]

[Insert postal address] and/or [Insert street address]

[Insert telephone and facsimile number, indicate country and city code]

Standard Format for Invitation Notice

Sale to Public Officers

Invitation for Bids for the Sale of [insert Subject of Disposal]

Disposal Reference number: **[insert disposal reference number]**

The **[insert name of Procuring and Disposing Entity]** intends to sell **[insert description of asset(s)]**. The **[insert description of asset(s)]** are sold on an “as is, where is” basis and the **[insert name of Procuring and Disposing Entity]** will have no further liability after sale.

The **[insert name of Procuring and Disposing Entity]** now invites sealed bids for the purchase of **[insert description of asset(s)being sold]**.

Bidding will be conducted in accordance with the Public Procurement and Disposal of Public Assets Act, 2003 of the Government of Uganda and is open to all public officials, who have not been involved in the valuation or disposal process.

Interested officials may inspect the **[insert description of asset(s)]** at **[insert location for inspection]** on **[insert date(s) for inspection]** from **[insert hours for inspection]**.

The Bidding Documents may be obtained by interested officials on the submission of a written application to **[insert office number]**.

PART 2 : BIDDING PROCEDURES

Disposal Reference Number: _____

Subject of Disposal: _____

A. General

Scope of Bid: _____, hereinafter called the “Procuring and Disposing Entity”, invites bids for the purchase of the assets described in Part 2, Description of Assets.

This disposal process will be conducted in accordance with the Public Bidding disposal method or sale to public officers contained in the Government of Uganda’s Public Procurement and Disposal of Public Assets Act and Regulations, 2003 and the procedures described in Part 1: Bidding Procedures.

Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.

Limits on Purchase-sale to Public officials: Public officials shall not be permitted to purchase more than one similar item. Public Officials may bid for more than one similar item, but in the event that they are the best-evaluated bidder for more than one such item, they shall be required to indicate their preferred item and shall be awarded a contract for that item only.

Lots and Items: The assets are divided into lots and/or items, as listed in Part 2, Description of Assets. Bidders shall be permitted to bid for individual or multiple lots and/or items according to the following rules:

1. Bidders must bid for complete lots only. Bids for partial lots shall be rejected.
2. Bidders may bid for any individual lot or combination of lots.

Corrupt Practices: It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers observe the highest standards of ethics during disposal and the execution of contracts. In pursuit of this policy, the Government of Uganda represented by the Public Procurement and Disposal of Public Assets Authority (herein referred to as the Authority);

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
 - (i) “corrupt practice” includes the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the disposal process or in contract execution; and
 - (ii) “fraudulent practice” includes a misrepresentation of facts in order to influence a disposal process or the execution of a contract to the detriment of the Procuring and Disposing Entity, and includes collusive practices among Bidders prior to or after bid submission designed to establish bid prices at artificial, non competitive levels and to deprive the Procuring and Disposing Entity of the benefits of free and open competition;
- (b) will reject a recommendation for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the Contract;
- (c) will suspend a Provider or Buyer from engaging in any public procurement and disposal proceeding for a stated period of time, if it at any time determines that the Provider or Buyer has engaged in corrupt or fraudulent practices in competing for, or in executing, a Government contract.

Part 3: Description of Assets

Code of Ethical Conduct: In pursuit of the policy defined above, the Government of Uganda requires representatives of both the Procuring and Disposing Entities and of Bidders, Providers and Buyers to adhere to the relevant codes of ethical conduct. The Code of Ethical Conduct for Bidders and Providers is available from the Authority and Bidders are required to indicate their acceptance of this Code through the declarations in the Bid Submission Sheet.

B. Bidding Document

Bidding Document: The Bidding Document consists of the following Parts, which should be read in conjunction with any addenda issued:

- Part 1: Bidding Procedures
- Part 2: Description of Assets
- Part 3: Contract

The Bid Notice or non Public Invitation Notice is not part of the Bidding Document.

At any time prior to the deadline for submission of bids, the Procuring and Disposing Entity may amend the Bidding Document or extend the deadline for submission of bids by issue of addenda. Addenda will be issued in writing to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

Clarification of Bidding Document: Any queries regarding this Bidding Document should be addressed to the Procuring and Disposing Entity at the following address and no later than the date indicated below.

Address: _____

Latest Date: _____

Any clarifications will be issued to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

C. Preparation of Bids

Preparation of Bids: You are advised to carefully read the complete Bidding Document, including the Conditions of Contract in Part 3: Contract, before preparing your bid.

Inspection of Assets: Potential Bidders may inspect the assets prior to preparing bids, at the following location and at the following time and date:

Address for inspection: _____

Date(s) for inspection: _____ (day, month and year).

Time(s) for inspection: _____ (local time).

Documents Comprising the Bid: You are requested to bid for these items by completing, signing and returning:

1. the Bid Submission Sheet in this Part;
2. the List of Assets and Price Schedule in Part 2, with prices completed for all items or lots for which you are bidding;

Part 3: Description of Assets

The standard forms in this Bidding Document may be retyped for completion but the Bidder is responsible for their accurate reproduction.

Validity of Bids: The bid validity required is _____ days.

Currency of Bids: Bids may be priced in Uganda Shillings or any other freely convertible currency.

Bid Security: A Bid Security of Shs _____ may be required. The Bid Security shall be determined by the Procuring and Disposing Entity in accordance with the Guidelines. And shall be in the form of either a demand guarantee, an irrevocable letter of credit or a cashier's or certified cheque.

Copies of Bid: The Bidder shall prepare one original and _____ copies of the bid, which shall be marked "ORIGINAL" or "COPY" as appropriate. In the event of any discrepancy between the original and the copies, the original shall prevail.

Signing of Bids: The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by a person duly authorised to sign on behalf of the Bidder. All pages of the bid shall be signed or initialled by the person signing the bid.

D. Submission and Opening of Bids

Sealing and marking of Bids: Bids should be sealed in a single envelope, clearly marked with the Disposal Reference Number above, the Bidder's name, the name of the Procuring and Disposing Entity and a warning not to open before the date and time of the bid opening. Envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected.

Submission of Bids: Bids should be submitted to the address below, no later than the date and time of the deadline below. Late bids will be rejected.

Date of deadline: _____ (day, month and year).

Time of deadline: _____ (local time).

Address: _____

Opening of Bids: The Procuring and Disposing Entity shall conduct the bid opening in the presence of Bidders' representatives who choose to attend, at the address, date and time below. A record of the opening will be posted on the Procuring and Disposing Entity's Notice Board within one working day of the opening.

~~Date of opening: _____ (day, month and year)~~

Time of opening: _____ (local time).

Address: _____

E. Evaluation of Bids

Evaluation of Bids: The evaluation of bids shall be based on price only.

Evaluation of Price: The Procuring and Disposing Entity shall correct any arithmetic errors in the bids, convert the bids to a common currency and rank bids to determine the highest priced bid.

Part 3: Description of Assets

Evaluation Currency: The currency of evaluation is Uganda Shillings Bids in other currencies will be converted to this currency for evaluation purposes only, using the exchange rates published by the Bank of Uganda on the date of the submission deadline.

Best Evaluated Bid: The best evaluated bid shall be the highest priced bid and shall be recommended for award of contract, subject to any reservations regarding failure to meet the official valuation or reserve price and subject to a limit of one similar item for one public officer.

Right to Reject: The Procuring and Disposing Entity reserves the right to accept or reject any bid or to cancel the bidding process and reject all bids at any time prior to contract award.

F. Award of Contract

Award of Contract: Award of contract shall be by placement of a Contract in accordance with Part 3: Contract.

Part 3: Description of Assets

Bid Submission Sheet

[Complete this form with all the requested details and submit it as the first page of your bid, with any documents requested above attached. Ensure that your bid is authorised or signed in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bidding Document prevail over any attachments. If your bid is not authorised or signed, it may be rejected.]

Bid Addressed to (PD Entity):	
Date of Bid:	
Disposal Reference Number:	
Subject of Disposal:	

We/I offer to purchase the item or items listed in the attached List of Assets and Price Schedule, at the prices indicated on the attached List of Assets and Price Schedule, in accordance with the terms and conditions stated in your Bidding Document referenced above.

We/I undertake to abide by the Code of Ethical Conduct for Bidders and Providers during the disposal process and the execution of any resulting contract.

The validity period of our bid is: _____ days/weeks/months from the time and date of the submission deadline.

We confirm that the prices quoted in the List of Assets and Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision or variation.

Bid Submitted By:

Signature: _____

Name: _____

Date: _____ (DD/MM/YY)

Address: _____

Tel No: _____

Part 3: Description of Assets

PART 3: DESCRIPTION OF ASSETS

Description of Assets

Disposal Reference Number: _____

Lot Number: _____

Name of Lots: _____

The descriptions of the assets given below are for information purposes only and the Procuring and Disposing Entity gives no guarantee of the accuracy of the description. The Bidder bears all risk for the condition of the assets.

Item No	Description of Asset

Attach a list of descriptions of assets where necessary.

Part 4: Contract

Any resulting contract shall be placed using the contract agreement form below and shall be subject to the Government of Uganda General Conditions of Contract for the Disposal of Public Assets, as attached.

Agreement

Disposal Reference Number: _____

THIS AGREEMENT made the _____ day of _____,

between _____ of _____

(hereinafter “the Procuring and Disposing Entity”), of the one part, and

_____ of _____ (hereinafter “the

Buyer”), of the other part:

WHEREAS the Procuring and Disposing Entity invited bids for the disposal of certain Assets,

viz., _____ and has

accepted a Bid by the Buyer for the purchase of those Assets in the sum of

_____ (hereinafter “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

- 1. This Agreement shall be subject to the Government of Uganda General Conditions of Contract for the Disposal of Public Assets (attached), except where modified herein.
- 2. The Buyer hereby covenants to pay the Procuring and Disposing Entity in consideration of the provision of the Assets, the Contract Price at the times and in the manner prescribed by the General Conditions of Contract.
- 3. In consideration of the payments to be made by the Buyer to the Procuring and Disposing as indicated in the Contract, the Procuring and Disposing Entity hereby covenants with the Buyer to release the Assets in conformity in all respects with the provisions of the Contract.

THE GENERAL CONDITIONS OF CONTRACT ARE MODIFIED AS FOLLOWS:

The location of the assets is _____.

The official to contact to arrange collection of the assets is _____.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Uganda on the day, month and year indicated above.

Signed by _____ (for the Procuring and Disposing Entity)

Name _____ Position _____

Signed by _____ (for the Buyer)

General Conditions of Contract for the Disposal of Public Assets (October 2004)

1. Definition of Assets

The assets subject to this contract are as defined in the attached Description of Assets.

2 Condition of Assets

The Procuring and Disposing Entity shall sell the assets on an “as is, where is” basis and shall offer no warranty or guarantee as to the condition of the assets.

The Buyer shall assume full responsibility for the assets from the date and time of transfer and shall bear all costs and risks associated with the assets thereafter.

3. Payment

The Buyer shall make payment to the Procuring and Disposing Entity of the full Contract Price, as defined in the Agreement, within two weeks of the date of the Agreement. The Procuring and Disposing Entity shall issue a receipt for the payment.

Payment shall be made by any method acceptable to the Procuring and Disposing Entity and shall be considered to have been made on the date that it is credited to the Procuring and Disposing Entity’s account.

The Procuring and Disposing Entity may terminate this contract if the Buyer has failed to pay the full Contract Price within one week of the due date for payment.

4. Transfer of Assets

The location of the assets is as specified in the Agreement.

The Buyer shall have full responsibility and shall bear all risks and costs associated with the collection, dismantling, removal and transportation of the assets from the location defined above and shall bear and pay all associated costs.

The Buyer shall collect the assets within one week of the date of receipt by the Procuring and Disposing Entity of full payment for the assets.

The Buyer shall contact the official named in the Agreement, at the Procuring and Disposing Entity’s address, as specified in the Agreement, to arrange a date and time for the collection of the assets.

The Buyer shall sign a Handover Certificate, certifying receipt of the assets, at the time of transfer.

5. Corrupt Practices

It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers for contracts for public assets, observe the highest standard of ethics during the disposal process and execution of such contracts.

In pursuit of this policy, the Procuring and Disposing Entity may terminate a contract for disposal if it at any time determines that corrupt or fraudulent practices were engaged in by representatives of the Procuring and Disposing Entity or of a Buyer, during the disposal process or the execution of that contract, without the Procuring and Disposing Entity having taken timely and appropriate action satisfactory to the Government of Uganda to remedy the situation.