



The Republic of Uganda

**USER GUIDE FOR STANDARD
REQUEST FOR PROPOSALS
(RFP) DOCUMENT FOR THE
PROCUREMENT OF CONSULTANCY
SERVICES UNDER OPEN OR
RESTRICTED BIDDING**

August 2025

PREFACE

This User Guide is intended to facilitate the use of the Request for Proposals for Consultancy Services under open or restricted domestic and international bidding methods that was issued by PPDA in 2025.

In addition to the procurement methods above, the document can be used under the direct procurement method with appropriate modifications.

Any general or specific comments on the user guide by users, which will assist in improving this document, or correcting any errors, should be forwarded to the PPDA to ensure that amendments are included in subsequent revisions to this document.

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Acronyms

BEB	Best Evaluated Consultant
CC	Contracts Committee
EC	Evaluation Committee.
eGPS	Electronic Government Procurement System
ESHS	Environmental, Social, Health and Safety
EMC	Evaluation Methodology and Criteria
FBS	Fixed Budget Selection
GCC	General Conditions of the Contract
GOU	Government of Uganda
ICC	International Chamber of Commerce
ISO	International Standards Organisation
ITC	Instruction to Consultants.
JV	Joint Venture
LCS	Least Cost Selection
NOBEB	Notice of Best Evaluated Consultant
PDE	Procuring and Disposing Entity
PDS	Proposal Data Sheet
PDU	Procurement and Disposal Unit
PPDA	Public Procurement and Disposal of Public Assets Authority
RFP	Request for Proposal
RFP	Standard Request for Proposal
SCC	Special Conditions of the Contract
TOR	Terms of Reference
QBS	Quality Based Selection
QCBS	Quality and Cost Based Selection
TOR	Terms Of Reference
URSB	Uganda Registration Service Bureau

Guidance Notes on the use of the Standard Request for Proposal and User Guide

Purpose of the Standard Request for Proposal

The purpose of the Standard Request for Proposal (RFP) is to provide the Government Procuring and Disposing Entities (PDEs) with one common standard document containing basic contractual provisions and safeguards which are required by the Government of Uganda (GOU) in the execution of public procurement and the use of public funds.

The RFP for the procurement of consultancy services has been designed to:

- i. Simplify the drafting of a specific Request for Proposals for procurement of consultancy services by the Procurement and Disposal Units (PDUs);
- ii. Minimise the time required by the Contracts Committee (CC) and Solicitor General to approve Request for Proposals prior to release.
- iii. Reduce consultants' time and effort in the preparation of proposals; and
- iv. Facilitate and simplify the evaluation and comparison of proposals and contract award; by the PDE.

The key feature of the RFP is that it can be used with minimum changes, as it does not contain explanations, footnotes or examples that should not form part of the Request for Proposal. The RFPs contain completion notes only for consultants; these are primarily in the Proposal Forms. This User Guide contains all the explanations and notes necessary for PDEs to use the RFPs.

Purpose of the User Guide

This User Guide has been prepared to provide guidance to public officials in the correct use of the RFP for consultancy services as a model for preparing an individual Request for Proposal.

The User Guide is not legally binding but PDEs must comply at all times with the PPDA Act, PPDA Regulations and Guidelines.

The guidance notes intended to be used by the Consultants (or Financial Institutions or Insurance Firms) are included under Section 4 and 9 of the RFP. All such notes are found between square brackets in italics e.g. [*insert name of*]. These guidance notes should not be deleted from the Request for Proposal when drafting.

This User Guide contains guidance notes intended to be used by PDEs in the use of the SBD and how to complete and issue the RFPs. Such notes are shown between square brackets in bold; e.g. [**insert general description of Services**]. Where recommended or suggested wording or text is provided this is shown between inverted commas e.g. “**Documentation requirements are:**”.

To summarize:

Notes in Italics in the RFPs are for consultants.

Notes in Bold in the User Guide are for PDEs.

The User Guide is not part of the RFP Document and shall not be issued with the RFP Document.

When to Use this Standard Request for Proposal for Consultancy Services

This RFP for the procurement of consultancy services is suitable for use under open (international or domestic) and restricted bidding (domestic and international) procurement with or without request for expressions of interest/pre-qualification.

Scope and Type of Contracts

This document will be suitable for any type of contract as provided for in the PPDA Act, Regulations and Guidelines.

Structure of the Standard Request for Proposal

The RFP is divided into nine (9) separate sections and a Preface. PDEs are required to use all Sections of the RFP to produce an individual Request for Proposal for issue to consultants. The RFP comprises:

Part 1: Proposal Procedures

Section 1: Instructions to Consultants (ITC)

Section 2: Proposal Data Sheet (PDS)

Section 3: Evaluation Methodology and Criteria

Section 4: Proposal Forms

Section 5: Eligible Countries

Part 2: Statement of Requirements

Section 6: Statement of Requirements

Part 3: Contract

Section 7: General Conditions of Contract (GCC) for the procurement of consultancy services

Section 8: Special Conditions of Contract (SCC)

Section 9: Contract Forms

Customizing Standard Request for Proposals

The PPDA makes Standard RFPs available to all PDEs. On receipt of this RFP, each PDE is permitted to customize it for use by each PDE. The areas that require customization by the PDE are shown in curly brackets e.g. **[Insert name and logo of PDE]**. This customization should be a one-off function to enter on the master RFP the following details prior to general issue and use within the PDE;

- a. The entry of the PDE's contact details [e.g. name, address, telephone and fax numbers, email address etc.] that will not change;
- b. The addition of any official logo or any other form of identification of the PDE.

When customizing documents, a PDE shall not alter or amend the content or substance of the standard documentation, including the style and format of the documents, without the prior written approval of the Authority.

The customized standard documents shall be approved by the Contracts Committee (CC) for use by the PDE.

The customized standard documents should be available from the PDU.

The customized standard documents shall be used by the PDEs for preparing respective RFP Documents for individual procurement or disposal requirements.

For clarity and avoidance of doubt-

Customizing: is the process of completing the identification details in the standard RFP issued by the Authority to make it suitable for drafting by the PDE; and

Drafting: is the process of modifying customized standard documentation to make it suitable for a particular procurement or disposal requirement.

How to Draft an individual Request for Proposal

It is important that PDEs always use the original customized RFP to commence drafting a new Request for Proposal for each new procurement requirement. Therefore, following customization, **the original RFP should not be amended** in any way.

Rules for Drafting the Request for Proposals (RFP) Document

The RFPs have been designed to require the minimum of input or changes to the document so that a final Request for Proposal can be produced with minimum time and effort.

Most importantly the provisions in

Section 1: “Instructions to Consultants” and

Section 7: “General Conditions of Contract”

Must be used with their text unchanged.

Any data or information that Sections 1 or 7 require is to be included respectively in:

Section 2: “**Proposal Data Sheet**” and

Section 8: “Special Conditions of Contract.”

Data and information contained in the remaining Sections should be modified as follows:

Section 3: “Evaluation Methodology and Criteria” The User Guide provides standard wording and text for the permitted methodologies. [The Procurement Guidelines may be issued by the PPDA permitting additional evaluation methods to be used. Such Procurement Guidelines will provide recommended wording and text for inclusion in this Section].

Changes to the text or wording of the standard methodologies provided in the User Guide or the Procurement Guidelines must be approved by the PPDA.

The details of the criteria for each requirement must be completed.

Section 4: “Proposal Forms” The Forms in this section are to be completed by the consultant. No changes to the standard forms should be made by the PDE.

Section 5: “Eligible Countries” A default wording is included. Changes to this section should only be made in accordance with the Guidelines or funding agency rules.

Section 6: “Statement of Requirement” This Section should be completed with details of the requirement by the PDE.

Section 9: “Contract Forms” PDEs are required to include the Contract Form in the Request for Proposal. Details do not need to be completed until a contract has been signed with the successful consultant.


This User Guide contains a section corresponding to each section of the SBD. It also includes an initial section on how to prepare the bid/proposal notice.

In drafting the Request for Proposals using the standard RFPs, PDEs should not:

- a. Delete any Section or page breaks,
- b. Make any changes to the headers of the RFP,
- c. Make any changes to the footers of the RFP.

Guidance Notes on the Cover

The cover page requires any inputs or text changes as illustrated below.

	[Procuring and Disposing Entity Logo [Name of Procuring and Disposing Entity]
[Ensure the Coat of Arms is in the extreme left upper corner of the cover page and the Entity logo is in the extreme right upper corner of the cover page]	
Request for Proposal for the Procurement of Consultancy Services under Open or Restricted method [delete method not applicable and retain the procurement method to be used]	
Subject of Procurement: The provision of [Insert general description of Services required].	
Procurement Reference Number: [Insert the Procurement Reference number for this Procurement]	
Procurement Method: [Insert Open/Restricted Domestic or International Bidding]	
Date of Issue: [Insert official release date of the Request for Proposals to Providers]	

Guidance Notes for the preparation of Bid/Proposal Notices

Bid/Proposal Notices

The bid/proposal notice must be published for Open (International or Domestic) Bidding methods (unless a pre-qualification has been conducted) and are designed to provide information that enables potential bidders/consultants to decide whether to participate in a bidding process. Apart from the essential items listed in the draft below, the bid/proposal notice should also indicate any important proposal evaluation criteria (for example, the application of a margin of preference in bid/proposal evaluation) or qualification requirement (for example, a Reservation Scheme for Special Interest Groups based on the Guideline on Local Content and Youth, Women and Persons with Disabilities). Any further information relating to the proposed bidding process, such as the intention to hold a pre-proposal meeting should also be included as appropriate

The bid/proposal notice is for publication purposes only and is not a part of the RFP Document.

The abridged bid/proposal notice should be used for purposes of reducing operational costs. Where the abridged notice is used, bidders/consultants should be referred to where they can find the full version of the bid/proposal notice.

Notes for completion of the bid/proposal notice

Paragraph 1.

A brief description of the type of Services should be provided, including the type and location of the required Services, and other information necessary to enable potential bidders/consultants to decide whether to respond to the invitation. Request for Proposals documents may require bidders/consultants to have specific experience, equipment or capabilities; such restrictions should also be included in this paragraph.

Paragraph 1,2 and 3.

Occasionally, contracts may be financed out of special funds or subject to a reservation scheme that would further restrict eligibility to a particular group of bidders/consultants or countries, such as under the Guideline on Reservation Schemes to promote “local content.” When this is the case, it should be mentioned in this paragraph. Also indicate any margin of preference that may be granted as specified in the RFPs Document.

Paragraph 4.

For example: 9:00am – 12:00pm.

Paragraph 5

The fee, to cover printing costs, should be nominal. If no fee is to be charged ensure that this is stated. For method of payment, insert for example, bank guarantee, insurance bond or direct deposit to specified account no. etc.

Paragraph 8

The place for proposal opening may not necessarily be the same as that for issuance of documents or for proposal submission. If they differ, each address must appear at the end of paragraph 8 and be numbered; as, for example, (a), (b), (c). The text in the paragraph would then refer to address (a), (b), etc. Only one place and its address may be specified for submission, and it should be near the place where proposals will be opened. Addresses should not be P. O. Boxes where physical submission or collection of a document is required.

Invitation to Bid Letters

Invitation to bid letters are issued for the Restricted (Domestic or International) bidding methods or where consultants have been pre-qualified or shortlisted following a request for expression of interest, and are designed to invite specific consultants who are felt to have the prerequisite skills, capacity or qualifications to fulfil a requirement. The purpose of the invitation is to invite specific consultants only.

The letter should be addressed to all consultants that have been selected so that each letter indicates the names of the consultants that have been invited to submit proposals.

Additional information such as details of any proposed pre-proposal meeting should also be included in the invitation letter. The invitation to bid letter is not a part of the Request for Proposal's document.

Note: The guidance notes for the completion of the *bid/proposal notice* above should be used where applicable. In addition, the place for proposal opening may not necessarily be the same as that for proposal submission. If they differ, each address must appear in the invitation letter. Only one place and its address may be specified for submission, and it would preferably be near the place where proposals will be opened.

Guidance Notes on Section 1: Instructions to Consultants

The Instruction to Consultants (ITCs) inform consultants of the procedures that regulate the bidding process. The ITCs contain standard provisions that have been designed to remain unchanged and **to be used without modifying their text**. The ITCs clearly identify the provisions that may normally need to be specified for a particular bidding process and require that such details be introduced **through the BDS**.

Conventionally the Instructions to Consultants contain information and data relating to the procedure for bidding and evaluation up to the point of contract award. Matters that will govern the performance of the Provider, payment under any resulting contract or each member's rights and obligations under any resulting contract are contained in Sections 7, 8 and 9, the General and Special Conditions of Contract and the Agreement. If duplication of a subject is inevitable in the different Sections of the document, care must be exercised to avoid contradiction between clauses dealing with the same matter.

Guidance Notes on Section 2: Proposal Data Sheet (PDS)

The Proposal Data Sheet (PDS) supplements the ITC by specifying details relevant to an individual RFP Document such as its closing date or the Proposal Securing Declaration required.

The PDE must specify in the PDS only the information that the ITC request be specified in the PDS. All information shall be provided; **no clause shall be left blank**.

To facilitate the preparation of the PDS, its clauses are numbered with the same numbers as the corresponding ITC clause. This Guide provides information to the PDE on how to enter all required information, and includes a PDS formatted table that summarises all information to be provided.

The PDS should be prepared by the PDU prior to the issue of the RFP Document.

Conventionally the PDS contains information and data relating to the procedure for bidding and evaluation up to the point of contract award. Matters that will govern the performance of the consultant, payment or each Parties rights and obligations under any resulting contract are contained in Sections 7, 8 and 9, the General and Special Conditions of Contract and the Agreement. If duplication of a subject is inevitable in the different Sections of the document, care must be exercised to avoid contradiction between clauses dealing with the same matter.

Input of Information to be completed by PDE

Section 2: Proposal Data Sheet

The following specific data for the consultancy services to be procured shall complement, supplement, or amend the provisions in the Instructions to Consultants (ITC). Whenever there is a conflict, the provisions herein shall prevail over those in ITC.

[Where an e-procurement system is used, modify the relevant parts of the PDS accordingly to reflect the e-procurement process.]

[Instructions for completing the Proposal Data Sheet are provided, as needed, in the notes in italics mentioned for the relevant ITC.]

Instructions to Consultants Reference	Data relevant to the ITC
A. General	
ITC 1.1	The Procuring and Disposing Entity (PDE) is: [insert complete name of PDE].
ITC 1.3	Subject: The subject of the procurement is: [Insert the title of the procurement or provide a brief description of the services required]
ITC 1.3	Reference: The Procurement Reference Number is: [Insert the Procurement Reference Number]
ITC 1.3	<p>Lots: The number and identification of lots comprising this Request for Proposals Document is: [Insert the number of lots, size and identification number for each lot with a general description of each lot, where applicable].</p> <p>The minimum and maximum number of lots a consultant may bid for is: [insert the minimum and maximum number of lots a bidder/consultant may bid for or state if there are no limits; e.g. “all lots” or “a combination of lots”]</p> <p>Minimum: [Insert the number] and Maximum: [Insert the number].</p> <p>[It is not usual for consultancy service to be split into lots therefore “Not applicable” could be entered against this entry]</p>
ITC 5.4	<p>Downstream work: The PDE [Insert “shall” or “shall not”] _____ have the need for continuity for downstream work.</p> <p>[If yes, outline in the Terms of Reference the scope, nature, and timing of future work and indicate here the manner in which this information will be factored in the evaluation]</p>

Instructions to Consultants Reference	Data relevant to the ITC
B. Request for Proposals Document	
ITC 10	<p>Clarification: For clarification purposes only, the PDE’s address is:</p> <p>Attention: [insert full name of person, if applicable] Street Address: [insert street address and number] Building: [insert name of Building] Floor/Room/Office number: [insert floor and room/office number, if applicable]</p> <p>Town/District: [insert name of district or town] Postal Code/PO Box No: [insert postal, or P.O. Box No if applicable]</p> <p>Country: [insert name of country] Telephone: [insert telephone number, including country and area codes] Email Address [insert email address]</p>
C. Preparation of Proposals	
ITC 14.1	<p>Submission Method: The proposal submission method shall be: [insert selected proposal submission method]</p>
ITC 14.2	<p>Pre-Proposal meeting: A Pre-Proposal meeting [Insert “shall” or “shall not”] be held.</p> <p>Date: [Insert date] Time: [Insert time] Address for Pre-Proposal meeting: [Insert “shall” or “shall not”] Building: [insert name of Building] Street Address: [insert street address and number] Floor/Room/Office number: [insert floor and room/office number]</p> <p>Town/City/District: [insert name of district or town/city] Country: [insert name of country] The contact details of the PDE’s official (s) are:</p> <p>Attention: [insert full name of person, if applicable] Street Address: [insert street address and number] Building: [insert name of Building] Street Address: [insert street address and number] Floor/Room/Office number: [insert floor and room/office number]</p> <p>Town/City/District: [insert name of district or town/city] Country: [insert name of country] Telephone: [insert telephone number, including country and area codes] Email Address: [insert email address]</p>

Instructions to Consultants Reference	Data relevant to the ITC
ITC 15.1	Joint Venture (JV)/Partnership: Shortlisted consultants..... [shall/ shall not] conduct an assessment of consultants or other consultants or entities in a JV/Partnership.
ITC 15.2	Prior to granting approval to enter into a joint venture, the PDE [Insert “shall” or “shall not”] conduct an assessment of consultants not invited for this assignment.
ITC 16.1	Estimated Man Months: The estimated number of professional staff-months required for the assignment is: [Insert number of man months] man months. Or Budget for the Assignment: The allocated budget for the Assignment is [insert Budget if, applicable]
ITC 17.1 (e)	Additional information in Technical Proposal: Additional information required in the Technical Proposal includes: . [Insert additional information required]
ITC 18.1 (f)	Additional information in Financial Proposal: Additional information required in the financial proposal includes: [insert additional information]
ITC 18.3	Price Breakdown: The Financial Proposal [Insert “shall” or “shall not”] be broken down into the price for each Activity.
ITC 18.4	Taxes: The financial proposal [Insert “shall” or “shall not”] indicate taxes etc as a separate amount.
ITC 19	Prices: The prices quoted by the consultant [Insert “shall” or “shall not”] be fixed. [Insert shall unless price adjustment is permitted. Insert details of any price adjustment if it is permitted.]
ITC 20	Quoting in other currencies [Insert “shall” or “shall not”] be allowed. Consultant [shall/shall not] substantiate foreign currency requirements.
ITC 23.1	Validity: Proposals must remain valid until [insert day, month and year]
ITC 24.1	Proposal Securing Declaration: A Proposal Securing Declaration [insert shall/ shall not] be required.
ITC 24.2	Validity of Proposal Securing Declaration: The Proposal Securing Declaration shall be valid until: [Insert day, month and year] (Calculated as 28 days beyond the proposal validity date above)
ITC 25.1	Number of Copies: In addition to the original of the technical and financial proposal, the number of copies of each proposal required is: [insert number required]

Instructions to Consultants Reference	Data relevant to the ITC
D. Submission and Opening of Proposals	
ITC 27.1	<p>Proposal Submission: For proposal submission purposes only, the PDE’s address is:</p> <p>Attention: [insert full name of person, if applicable]</p> <p>Street Address: [insert street address and number]</p> <p>Building: [insert name of Building]</p> <p>Floor/Room/Office number: [insert floor and room/office number, if applicable]</p> <p>Town/District: [insert name of district or town]</p> <p>Postal Code/P. O. Box: [insert postal, or P. O. Box No if applicable]</p> <p>Country: [insert name of country]</p> <p>Telephone: [insert telephone number, including country and area codes]</p> <p>Email Address: [insert email address]</p> <p>The deadline for proposal submission is: Date: [insert date, month and year] Time (local time): [insert time]</p> <p>The consultant [shall or shall not] have the option of submitting their proposal electronically.</p> <p>The electronic submission procedure shall be: [Insert the submission procedure or not applicable.]</p>
ITC 30.1	<p>Proposal Opening: The proposal opening for the technical proposal shall take place at:</p> <p>Street Address: [insert street address and number]</p> <p>Building: [insert name of Building]</p> <p>Floor/Room/Office number: [insert floor and room/office number, if applicable]</p> <p>Town/District: [insert name of district or town]</p> <p>Postal Code/PO Box No: [insert postal, or P.O. Box No if applicable]</p> <p>Country: [insert name of country]</p> <p>Date: [insert date, month and year] Time (local time): [insert time]</p> <p>An online option of the opening of the Technical Proposals is offered: [insert yes or no]</p> <p>The online opening procedure shall be: [Insert the procedure for online opening of Technical Proposals or not applicable]</p>

Instructions to Consultants Reference	Data relevant to the ITC
ITC 36.2	<p>Interviews: Interviews [shall/shall] not be held.</p> <p>Key Staff/staff to be interviewed: [insert the key persons to be interviewed]</p> <p>Anticipated method/mode of Interviews: [insert the mode of interviews]</p> <p>Anticipated date of Interviews: [insert the date of interviews]</p>
	E. Evaluation of Proposals
ITC 38.1	<p>Exchange Rate: The currency that shall be used for financial comparison purposes to convert all proposal prices expressed in various currencies into a single currency is [insert Uganda Shilling]</p> <p>The source of exchange rate shall be: [insert Bank of Uganda]</p> <p>The date for the exchange rate shall be: ___ [insert date of proposal submission deadline]</p>
ITC 41	<p>Margin of Preference: A margin of preference [<i>Shall/Shall not apply.</i>]</p> <p>If a margin of preference applies, the application methodology and the level of margin shall be as stated in Section 3, Evaluation Methodology and Criteria.</p>
ITC 50	<p>The successful consultancy [shall/shall not] be required to submit a performance securing declaration and an environmental and social (ES) performance security.</p> <p>[NOTE; The ES Performance Security shall normally be required where the ES risks are significant.]</p>

Guidance Notes on Section 3: Evaluation Methodology and Criteria

The purpose of the Evaluation Methodology and Criteria (EMC) is to inform consultants of the methodology and criteria that the PDE will use to evaluate the proposals and post-qualify the best evaluated consultant. This is to ensure that the evaluation is fair and treats all consultants in the same manner. It also should assist consultants to prepare responsive proposals which meet the PDE’s needs and are competitive. The PDE must prepare the EMC and include it as a part of the Request for Proposals.

The EMC is not a contract document and, therefore, **it is not a part of the contract.**

For consultancy services different evaluation methodologies can be used and each evaluation methodology determines a different entry in Section 3: Therefore Section 3 in the SBD is blank. There are four selection methods that are permitted by the Regulations for the procurement of consultancy services. The preferred evaluation methodology for consultancy services is, however, the Quality and Cost Based Selection (QCBS) Methodology. The other three selection methods are Quality Based Selection (QBS), Fixed Budget Selection (FBS) and Least Cost Selection (LCS). The evaluation methodology to be used will depend on the nature and circumstances surrounding consultancy services.

PDEs should refer to the PPDA Act, Cap 205 and PPDA (Consultancy) Regulations, 2023 for details of the appropriate evaluation methodology and the required evaluation committee procedures. The recommended wording for each evaluation methodology above is shown below and is followed by guidance notes. Assistance is also provided by the evaluation report (form 24) under the PPDA (Consultancy) Regulations, 2023.

Quality Based Selection (QBS) Methodology

Input of information to be completed by PDE for QCBS evaluation

Section 3: Evaluation Methodology and Criteria

Procurement Reference Number:

A. Evaluation Methodology

1. Methodology Used

- 1.1 The evaluation methodology used for the evaluation of proposals shall be the Quality and Cost Based Selection (QCBS) methodology.

2. Summary of Methodology

- 2.1 The summary of the evaluation methodology complies with the PPDA Act and PPDA Regulations and any changes to this will require PPDA prior approval.
- 2.2 The Quality and Cost Based Selection methodology recommends the highest scoring proposal, which is eligible and substantially responsive to the technical and commercial requests of the RFP Document, provided the consultant is determined to be qualified to perform the contract satisfactorily.
- 2.3 The evaluation shall be conducted in three sequential stages:
- a. A preliminary examination to determine whether the consultant is eligible and to determine administrative compliance with the basic instructions and requirements of the solicitation documents.
 - b. A detailed evaluation to assess:
 - i. Responsiveness to the terms and conditions of the solicitation documents;
 - ii. The technical quality of proposals against set criteria on a merit point system, to determine the technical score of each technical proposal and to determine which technical proposals reach the technical score required;
 - c. a financial comparison to determine the financial score of each financial proposal, to weight the technical and financial scores and to determine the total score of each proposal.
- 2.4 Failure of a proposal at any stage shall prevent further consideration of the proposal at the next stage of evaluation. Substantial responsiveness shall be considered a pass at the preliminary examination stage.

B. Preliminary Examination Criteria

Preliminary evaluation shall be carried out on a pass or fail basis. That is failure to meet any of the criteria stated will lead to disqualification of the consultant except where a proposal has failed for not providing a historical document and in which the PDE may seek clarification from the bidder/consultant.

For avoidance of doubt historical documents are documents which were in existence at the time of proposal submission deadline, which for a justified reason was not included in the proposal.

3. Eligibility Criteria

- 3.1 The eligibility requirements shall be determined in accordance with Clause 4 of the ITCs.
- 3.2 The following documentation shall be required to provide evidence of eligibility:
- a. A copy of the Bidder's Certificate of Incorporation/Registration or equivalent;
 - b. A copy of the Bidder's Trading license or equivalent;

-
- c. A copy of the Bidder's income tax clearance certificate or equivalent; and
 - d. A copy of the Bidder's clearance certificate for fulfilling its obligations for National Social Security contributions or equivalent.

3.3 For a Joint Venture (JV) or partnership, the equivalent of the documentation in Section 3:2 shall where applicable be required for the partnership and for each member of the JV or partnership in addition to the following:

- a. a certified copy of the JV or partnership agreement, legally binding on all parties to the agreement, which shall be registered with URSB for those formed in Uganda and notarized for those formed outside Uganda, and showing that:
 - i. All the partners shall be jointly and severally liable for the execution of the contract in accordance with the contract terms;
 - ii. The partner named has been nominated to be in charge, authorized to incur liabilities, and receive instructions for and on behalf of any and all partners of the joint venture; and
 - iii. The execution of the entire contract, including payment, shall be done exclusively with the partner in charge.

4. Administrative Compliance Criteria

The minimum administrative compliance criteria for all procurement assignments are listed in the Request for Proposal ITC Clause 35.3 and 35.4 and this is standard and must be met by all consultants. The documentary requirements cannot be changed.

C. Detailed Evaluation Criteria

5. Assessment of Responsiveness

The assessment of responsiveness will consider the following criteria:

- a. Acceptance of the conditions of the proposed contract;
- b. Acceptable workplan or activity schedule;
- c. Acceptable Environment Social Management Plan where applicable;
- d. [Add, amend or delete as appropriate].

6. Technical Evaluation Criteria

6.1 Technical responsiveness shall be evaluated in accordance with ITB Clause 36.

6.2 The Technical evaluation criteria and merit point system shall be applied as specified below. The technical bid/proposal shall be allocated points which shall range from 70 to 80 out of 100 points. The responsive proposal will be given a technical score (*Ts*) which shall be proportion of the maximum number of points allocated to the technical proposal specified below. A proposal which fails to score the minimum technical qualifying mark specified below shall be rejected at this stage and shall not be considered at financial evaluation stage.

6.3 Proposals shall be evaluated against the broad technical evaluation criteria outlined below and awarded scores not exceeding the maximum points indicated against each criteria:

Criteria	Maximum score range
Specific Experience of the provider related to the assignment	[5-10] points
Adequacy of the proposed Methodology and work plan in responding to the terms of reference	[20-50] points
Qualifications and competences of Key Personnel proposed for the assignment	[30-60] points
Suitability of the program for Transfer of Knowledge (Training or capacity building)	[0-10] points
Participation by nationals represented by Ugandan nationals among the key staff proposed by foreign firms/consultants	[0-10] points
Total:	100 points

[Insert against each criteria above the maximum number of points to be given to each criteria. The maximum number of points for each criteria must be selected and be within the range given in square brackets. The total points must be 100 exactly.]

6.4 The Evaluation Committee shall during the proposal evaluation meeting, and where necessary, determine the detailed sub criteria for each of the above broad criteria. The sub criteria shall be in line and with the both the broader criteria, objective and designed to enable the PDE achieve the main purpose of the services required.

[For example, the qualifications of key personnel may be evaluated against the sub-criteria outlined below and awarded scores not exceeding the maximum points of 50 points:]

Criteria	Maximum score range
Project Engineer	[20] points
A valid registration license with a master's degree in Civil Engineering	[5] points
Five years' experience as a project or supervising Engineer on dam construction works of at least USD 2m	[10] points
Five years' experience in the region and local Language	[5] points
ESHS Specialist	[15] points
A valid Environmental practitioner's license with a master's degree in Natural resources management or biodiversity conservation	[3] points
Five years' experience in management of ESHS on public construction works of at least USD 2m	[10] points
Five years' experience in the region and local Language	[2] points
Legal Expert	[15] points
A valid practicing license with a master's degree in law or business administration or management	[3] points
Five years' experience as a Legal Expert on public construction works of at least USD 2m	[10] points
Five years' experience in the region and local Language	[2] points
TOTAL	[50] points

7 Determination of Technical Score (Ts)

- 7.1 The sum of the scores of each proposal from detailed criteria stated in sub paragraphs 6.3 above shall be the technical score (Ts) for that proposal.
- 7.2 The minimum technical qualifying mark at detailed technical evaluation shall be: **[insert the points from 70% to 100%]**. Proposals scoring below the set qualifying mark shall be rejected and not considered at evaluation of financial bids/proposals.

[The more complex the project, the more likely it is that quality should be prioritized. If there is a higher risk of failure or negative consequences associated with the contract, prioritizing quality can be more important. Consulting services for strategic planning, specialized technical expertise, or research and development, maintenance contracts for critical assets, projects involving critical infrastructure, high-risk construction, or specialized technologies may require higher quality weightings to ensure the best possible outcome and to ensure safety, longevity, and optimal performance.]

- 7.3 The maximum number of the points allocated to the technical bid/proposal (Pt) shall be: **[insert the points ranging from 70% to 80%]** and those allocated to the financial proposal (Pf) shall be: **[insert the points ranging from 20% to 30%]**

D. Financial Evaluation Criteria

The PDE needs to indicate which costs will form part of the evaluation. Taxes, duties and levies are to be included in the proposal price for evaluation. In addition, there is the option to include other costs which the bidder/consultant may have been requested to provide e.g. fees for the key professional staff and reimbursable expenses.

8 Margin of Preference

A margin of preference (insert shall/shall not) apply at the financial evaluation stage. Where applicable, the margin of preference shall be (insert criteria and percentage to be applied).

9 Determination of Financial Score (Fs)

- 9.1 The proposal with the lowest price shall be given all the points assigned to a financial proposal. It shall thus be given a score of 100%. The financial score of any other proposal with a higher evaluated price shall be given a financial score that is proportionate to its price which shall be determined using the formula below:

$F_s = 100 \times L_p/N_p$ in which:
 F_s denotes the financial score of any other qualifying proposal (N);
 L_p denote the evaluated price of the lowest priced qualifying proposal; and
 N_p denotes the evaluated price of the proposal N whose F_s is being determined.

10 Determination of weighted scores and Combined Technical and Financial Score

10.1 The technical (T_s) and financial (F_s) score of each proposal shall be weighted by multiplying it with the weight allocated to the technical and financial bid/proposal respectively.

10.2 The sum of the weighted technical score ($W_t = T_s * P_t$) and the weighted financial score ($W_f = F_s * P_f$) will make up the combined score for each bid/proposal (C_s). Therefore, the combined score of each proposal shall be determined the using the formula:

$$C_s = (W_t) + (W_f) \text{ or } C_s = (T_s * P_t) + (F_s * P_f)$$

11 Ranking of bids/proposals and Determination of Best Evaluated Bidder/Consultant

11.1 The bids/proposals shall be ranked on the basis of the combined technical and financial score and the proposal with the highest combined score shall be selected as the Best Evaluated bid/ proposal.

12 Negotiations

12.1 Where necessary, negotiations shall be conducted with the bidder/consultant selected as best evaluated bidder/consultant before his proposal is recommended for contract award.

13 Post qualification

13.1 To award the contract to the selected bidder/consultant, the PDE shall be satisfied that the bidder/consultant whose proposal has been ranked and selected as the best evaluated proposal is qualified to perform the contract in a satisfactory manner. To satisfy itself, the PDE shall verify and confirm the documentation and information submitted by the consultant as may be considered necessary and prudent including:

- a. Capacity to enter into a contract;
- b. Licenses, Academic and professional qualification of proposed key personnel;
- c. Consent and Curriculum vitae and profiles of proposed key personnel; and
- d. Similarity, scope, and performance record of previous assignments undertaken.

13.2 Where the selected proposal is found not qualified to perform the contract in a satisfactory manner it shall be disqualified and the contract shall be awarded to the next proposal that has been determined to be properly qualified.

14 Determination of Best Evaluated Bidder/Consultant

The determination of Best Evaluated Bidder/Consultant and post qualification shall comply with the PPDA Act and Regulations.

Quality Based Selection (QBS) Methodology

The Quality Based Selection methodology recommends for contract award, the proposal with the qualifying mark and the highest technical score which has been determined to be eligible, substantially responsive to the detailed technical requirements of the RFP Document, and qualified to perform the contract in a satisfactory manner.

Therefore, the Evaluation of proposals under the QBS methodology shall follow all the steps described above for evaluation under QCBS with necessary modifications except that the provisions in paragraphs 7.3 to 10.2 shall not apply.

The proposals that have met the qualifying mark shall be ranked on the basis of their technical scores and only the proposal with the highest technical score shall be selected for financial evaluation to determine its evaluated price and recommended for award of contract, provided it shall be determined to be qualified to perform the contract in a satisfactory manner. Proposals that have not met the qualifying mark shall be rejected and not ranked.

If after negotiations, where necessary, the PDE is unable to reach a mutual agreement with the bidder/consultant with the highest technical score, or if after post qualification, the bidder/consultant with the highest technical score is not found qualified to perform the contract in a satisfactory manner, his proposal shall be rejected and the PDE shall proceed to consider the proposal with the second or third or fourth etc highest technical score in that order.

Fixed Budget Selection (FBS) Methodology

The Fixed Budget Selection methodology recommends for contract award, the proposal with the qualifying mark and the highest technical score, whose evaluated price fall within the budget ceiling fixed by the PDE and which has been determined to be eligible, substantially responsive to the detailed technical requirements of the RFP Document, and qualified to perform the contract in a satisfactory manner.

Therefore, the Evaluation of proposals under the FBS methodology shall follow all the steps described above for evaluation under QCBS with necessary modifications except that the provisions in paragraphs 7.3 to 10.2 shall not apply.

The proposals that have met the qualifying mark and whose evaluated price falls within the fixed budget ceiling disclosed by the PDE, shall be ranked on the basis of their technical scores and the proposal with the highest technical score shall be selected and recommended for award of contract, provided that it shall be determined to be qualified to perform the contract in a satisfactory manner.

If after negotiations, where necessary, the PDE is unable to reach a mutual agreement with the bidder/consultant within the budget ceiling and with the highest technical score, or if after post qualification, bidder/consultant within the budget ceiling and with the highest technical score is not found qualified to perform the contract in a satisfactory manner, his proposal shall be rejected and the PDE shall proceed to consider the proposal within the budget ceiling and with the second or third or fourth etc highest technical score in that order.

Least Cost Selection (LCS) Methodology

The Least Cost Selection methodology recommends for contract award, the proposal with the qualifying mark and with the lowest evaluated price, which has been determined to be eligible, substantially responsive to the detailed technical requirements of the RFP Document, and qualified to perform the contract in a satisfactory manner.

Therefore, the Evaluation of proposals under the LCS methodology shall follow all the steps described above for evaluation under QCBS with necessary modifications except that the provisions in paragraphs 7.3 to 10.2 shall not apply.

The proposals that have met the qualifying mark all be considered at financial evaluation to determine their evaluated prices and shall be ranked on the basis of their evaluated prices and the proposal with the lowest evaluated price shall be selected and recommended for award of contract, provided that it shall be determined to be qualified to perform the contract in a satisfactory manner.

If after negotiations, where necessary, the PDE is unable to reach a mutual agreement with the bidder/consultant with the lowest evaluated price, or if after post qualification, bidder/consultant with the lowest evaluated price is not found qualified to perform the contract in a satisfactory manner, his proposal shall be rejected and the PDE shall proceed to consider the proposal with the second or third or fourth etc with the lowest evaluated price in that order.

Guidance Notes on Section 4: Proposal Forms

The Proposal Forms under section 4 of the RFP are intended to be used by the consultants to provide the information required for assessing the suitability of their proposal. The instructions and guidance notes for completing each form are included within the form itself and therefore no need for guidance on the same to the PDE in this user guide.

The PDE shall not make any changes to the templates of these proposal forms in the standard Request for Proposal but shall keep them in the RFP for use of the consultants. These include the following:

- a. Technical Proposal Submission Form
- b. Code of Ethical Conduct in Business for Providers and Bidders/Consultants
- c. Consultants' references
- d. Comments and suggestions on terms of reference
- e. Description of the methodology for performing the assignment
- f. Team composition and ask assignments
- g. Format of curriculum vitae for proposed professional staff
- h. Confirmation of availability of professional staff
- i. Estimated time schedule for professional staff
- j. Activity (work) schedule
- k. Proposal Securing Declaration
- l. Beneficial Ownership Declaration Form, etc.

As the bidder/consultant (or a financial institution) is required to complete these Forms, guidance notes are included in the forms in italics between square brackets in the RFP and these should therefore not be deleted by the PDE prior to the issue of the RFP Document. The PDE **is not required to input or change any information** in Section 4:

The Section 4 Forms complete with guidance notes is not therefore included in this User Guide.

Guidance Notes on Section 5: Eligible Countries

Input of Information to be completed by PDE

Section 5 specifies the countries (or regions) from which bidders/consultants and their staff are eligible.

Section 5 is not a contract document but the eligibility requirements are incorporated into the contract through the Special Conditions of Contract.

The following wording, which will normally apply has been included in the SBDs but PDEs should check in the Guidelines for any change to this wording.

[“All countries are eligible except countries subject to the following provisions.]

A country shall not be eligible if:

- a. As a matter of law or official regulation, the Government of Uganda prohibits commercial relations with that country, provided that the Government of Uganda is satisfied that such exclusion does not deprive it of effective competition for the provision of services required; or
- b. By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Government of Uganda prohibits the provision of Services from that country or any payments to persons or entities in that country.”.]

The PDE should also refer to the appropriate Guidelines relating to Eligible Countries in relation to any applicable Preference/Reservation Scheme. Where a Preference/Reservation scheme is in force, insert the prescribed text and details from the relevant Guideline.

Other limitations may exist where eligibility is restricted in accordance with the conditions of a funding agency or any other international agreement. In such cases insert the appropriate text and any positive or negative list of countries.

Guidance Notes Section 6: Statement of Requirements

The Statement of Requirements (SOR) should provide sufficient information to enable consultants to understand the services required by the PDE to enable them accurately prepare responsive proposals and effectively competitive. The SOR will form part of the contract. The PDE must prepare the SOR and include it as a part of the Request for Proposals.

For consultancy services, the SOR normally consists of Terms of Reference (TOR) for the assignment. TOR should be prepared by the User Department, with guidance from the PDU as required. It is important that the recipient or manager of the services is involved in drafting or checking the TOR, as the TOR must reflect the requirements of the intended contract.

The TOR should be complete, precise, and clear. Incomplete, imprecise or unclear TOR may prompt bidders/consultants to request clarifications from the PDE or to submit conditional proposals or proposals that may be based on different understandings of the PDE's requirements. Depending on the nature of the clarifications, the PDE may need to amend the RFP Document and eventually to extend the submission deadline. Conditional proposals may have to be rejected. Proposals that are not comparable cannot be evaluated.

The contents of TOR are determined by the individual assignment, but typically should include the following details:

- a. The purpose of the assignment and what it is expected to achieve;
- b. a description of the scope of the services required;
- c. The location or locations for performance of the services;
- d. The role, qualifications and experience of any key staff required, such as supervisors;
- e. The duration of the contract or expected completion date;
- f. The hours of work or hours when the Provider will have access to the site, where applicable;
- g. An estimate of the amount or value of work involved, where the scope of the services cannot be precisely defined e.g. vehicle repair services for a one-year period;
- h. Any facilities, services or resources to be provided by the PDE;
- i. Any required performance targets or response times e.g. routine repairs must be completed within 3 days;
- j. Arrangements for reporting to the PDE, including lines of communication and the contact point for management and administration of the assignment;
- k. Any other details or requirements relevant to the assignment.

Sample Structure for content of TORs to be included in the RFP

Procurement Reference Number:

Brief Description of Services required:

1. Background to the required consultancy services
2. Objectives of the consultancy services
3. Scope of the assignment
4. List of the specific tasks or duties to be performed. These shall be a breakdown to enable achievement of the objectives or deliverables, upon which performance shall be measured

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5. Management and reporting lines of the consultant to the client
 - i. Management – Who shall be the overall coordinator? What are the communication arrangements? How will the supervision be managed/coordinated? How will quality issues be addressed? What shall be the client’s responsibilities?
 - ii. Reporting lines – who shall the consultant report to in the client’s office? What kind of reports will be needed? How frequent shall the reports be? In what format will they be? What should the reports entail?
 6. Specific administrative arrangements and reporting requirements to apply
 - i. What facilities will the client offer the consultant - for example, administrative support, office space, local transportation, equipment, data, background reports, etc., if any,
 - ii. What facilities should the consultant offer if any?
 7. Duration of the assignment and the timetable for implementing the assignment
 - i. Total (overall duration)
 - ii. Timetable (Breakdown) of deliverables
 - iii. Payment schedule i.e. percentage of payment against a key deliverable
 8. Industry standards applicable to the assignment
Applicable standards the consultant should abide by
 9. Qualification of the consultancy firm (demonstrable experience, compliance, capacity, staff resourcing, membership – if applicable) e.g.
 - i. Not less than 15 years’ experience in
 - ii. A proven past/current work experience in
 - iii. A registered with
 10. Required key personnel and their minimum qualifications
(List of key staff, their academic qualifications, their membership to professional bodies – if applicable, minimum experience, minimum skills for the assignment) e.g.,

SN	Key Personnel	Min Qualifications	Min experience	Skills
1.		Masters’ degree in	5 years in	Communication, Project management, etc
2.				
3.				

Guidance Notes on Sustainable procurement; Environmental, Social, Health and Safety Requirements:

[The PDE shall list the specific Sustainable procurement and or Environmental, Social, Health and Safety (ESHS) requirements to guide the Provider when submitting their proposal using the following guide]:

The sustainable procurement technical requirements if any shall be clearly specified in the Request for Proposal. These shall specific to the procurement shall be inbuilt into the TORs for example;

PDEs may ask for information on:

- a. Use of energy saving equipment when offering the services;
- b. Tele/Video conferencing rather than face to face meetings;
- c. Requirement for ISO 14001 certification;
- d. Use of water saving equipment when offering cleaning services;
- e. Existence of Sustainable procurement policy;
- f. Initiatives that support marginalized groups in the community.
- g. Any other.

The Environmental, Social, Healthy and Safety procurement requirements shall be specified to enable evaluation of such a requirement on a pass/fail basis i.e.

To determine a bidder's/consultant's competence, PDEs may ask for information on:

- a. The experience in the type of work to be done;
- b. Their health and safety policies and practices;
- c. Their recent health & safety performance (No. of accidents etc.);
- d. The qualifications and skills they have;
- e. Their selection procedure for sub-contractors;
- f. The health and safety training and supervision they provide;
- g. Their arrangements for consulting their workforce;
- h. If they have any independent assessment of their competence (ISO Certifications);
- i. If they are members of a relevant trade or professional body.

Environmental, Social, Health and Safety Requirements

The PDE should use the services of a suitably qualified Environmental, Social, Health and Safety specialist/s to prepare the specifications for ESHS working with a procurement specialist/s.

The PDE should attach or refer to the PDE's ESHS policies that will apply to the project. If these are not available, the PDE should use the following guidance in drafting an appropriate policy for the non-consultancy service.

Suggested Content for an Environmental and Social Policy (Statement)

The policy goal, as a minimum, should be stated to integrate environmental protection, occupational and community health and safety, gender, equality, child protection, vulnerable people (including those with disabilities), sexual harassment, Gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), HIV/AIDS awareness and prevention and wide stakeholder engagement in the planning processes, programs, and activities of the parties involved in the execution of the non-consultancy

services. The PDE is advised to consult the relevant stakeholders to agree on the issues to be included. The policy should set the frame for monitoring, continuously improving processes and activities and for reporting on the compliance with the policy.

The policy shall include a statement that, for the purpose of the policy and/or code of conduct, the term “child”/“children” means any person (s) under the age of 18 years.

The policy should, as far as possible, be brief but specific and explicit, and measurable, to enable reporting of compliance with the policy in accordance with the General Conditions of the Contract.

As a minimum, the policy is set out to achieve the following commitments:

- a. Apply good international industry practice to protect and conserve the natural environment and to minimize unavoidable impacts;
- b. Provide and maintain a healthy and safe work environment and safe systems of work;
- c. Protect the health and safety of local communities and users, with particular concern for vulnerable;
- d. Ensure that terms of employment and working conditions of all workers engaged in the Works meet the requirements of the ILO labour conventions to which the host country is a signatory;
- e. Be intolerant of, and enforce disciplinary measures for illegal activities. To be intolerant of, and enforce disciplinary measures for GBV, inhumane treatment, sexual activity with children, and sexual harassment;
- f. Incorporate a gender perspective and provide an enabling environment where women and men have equal opportunity to participate in, and benefit from;
- g. Work co-operatively, with end users of the Services;
- h. Engage with and listen to affected persons and organizations and be responsive to their concerns, with special regard for vulnerable, disabled, and elderly people;
- i. Provide an environment that fosters the exchange of information, views, and ideas that is free of any fear of retaliation, and protects whistle-blowers;
- j. Minimize the risk of HIV transmission and to mitigate the effects of HIV/AIDS associated with the execution of the Services;

NOTE; The policy should be signed by the Accounting Officer of the PDE.

Minimum Content of ESHS Requirements

In preparing detailed specifications for ESHS requirements, the specialists should refer to and consider the following:

- a. Project reports e.g., Environmental and Social Impact Assessment (ESIA)/Environmental and Social Management Plan (ESMP)
- b. Required ESHS standards or internationally accepted standards e.g. WB EHS Guidelines
- c. Relevant international conventions or treaties, national legal and/or regulatory requirements and standards.
- d. Relevant international standards e.g., WHO Guidelines for Safe Use of Pesticides
- e. Relevant sector standards e.g., EU Council Directive 91/271/EEC Concerning Urban Waste Water Treatment
- f. Grievance redress mechanism including types of grievances to be recorded and how to protect confidentiality e.g., of those reporting allegations of GBV/SEA.
- g. GBV/SEA prevention and management.

The detail specification for ESHS should, to the extent possible, describe the intended outcome rather than the method of working.

Minimum Requirements for the bidder's/consultant's Code of Conduct

[A minimum requirement for the Code of Conduct should be set out by the PDE, taking into consideration the issues, impacts, and mitigation measures identified, for example, in:

- a. Project reports e.g., ESIA/ESMP
- b. Any particular GBV/SEA requirements
- c. Consent/permit conditions (**regulatory authority conditions attached to any permits or approvals for the project**)
- d. Required standards including World Bank Group EHS Guidelines
- e. Relevant international conventions, standards or treaties, etc., national, legal and/or regulatory requirements and standards where applicable;
- f. Relevant standards e.g., Workers' Accommodation: Process and Standards (International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD)) if applicable;
- g. Relevant sector standards e.g., workers' accommodation if applicable;
- h. Grievance redress mechanisms.

The types of issues identified could include risks associated with: labour influx, spread of communicable diseases, sexual harassment, gender-based violence, illicit behaviour and crime, and maintaining a safe environment etc.]

[Amend the following instructions to the bidder/consultant taking into account the above considerations.]

A satisfactory Code of Conduct will contain obligations on all Provider's Personnel (including sub-contractors and day workers) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the region, the location and the project sector or to specific project requirements. The Code of Conduct shall contain a statement that the term "child"/"children" means any person (s) under the age of 18 years.

The issues to be addressed include:

1. Compliance with applicable laws, rules, and regulations;
2. Compliance with applicable health and safety requirements to protect the local community (including vulnerable and disadvantaged groups), the PDE's Personnel, and the Provider's Personnel (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment);
3. The use of illegal substances;
4. Non-Discrimination in dealing with the local community (including vulnerable and disadvantaged groups), the PDE's Personnel, and the Provider's Personnel (for example on the basis of family status, ethnicity, race, gender, religion, language, marital status, age, disability (physical and mental), sexual orientation, gender identity, political conviction or social, civic, or health status)
5. Interactions with the local community (ies), members of the local community (ies), and any affected person (s) (for example to convey an attitude of respect, including to their culture and traditions);
6. Sexual harassment (for example to prohibit use of language or behavior, in particular towards women and/or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate);

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7. Violence, including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberty;
 8. Exploitation including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading behavior, exploitative behavior or abuse of power) ;
 9. Protection of children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas)
 10. Sanitation requirements;
 11. Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
 12. Respecting reasonable work instructions (including regarding environmental and social norms);
 13. Protection and proper use of property (for example, to prohibit theft, carelessness or waste);
 14. Duty to report violations of this Code; and
 15. Non retaliation against workers who report violations of the Code, if that report is made in good faith.

The Code of Conduct should be written in plain language and signed by each worker to indicate that they have:

- a. Received a copy of the code;
- b. Had the code explained to them;
- c. Acknowledged that adherence to this Code of Conduct is a condition of employment; and
- d. Understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

Payment for ESHS Requirements

The PDE's ESHS and procurement specialists should consider how the Provider will cost the delivery of the ESHS requirements.

Guidance Notes on Section 7: General Conditions of Contract for the Provision of Consultancy Services

The General Conditions of Contract (GCC) contain standard provisions that have been designed to remain unchanged and to be used without modifying their text. The GCC clearly identify the provisions that may normally need to be specified for a particular bidding process and require that such provisions be introduced through the SCC.

The GCC are contract documents and, therefore, are a part of the contract.

Guidance Notes on Section 8: Special Conditions of Contract

Input of Information to be completed by PDE

The Special Conditions of Contract (SCC) supplement the GCC by modifying conditions applicable to an individual contract, such as payment terms or the period for performance of the services. The SCC prevail over the GCC. The PDE should include at the time of issuing the RFP Document all information that the GCC indicate shall be provided in the SCC. No SCC Clause should be left blank.

To facilitate the preparation of the SCC, its clauses are numbered with same numbers as the corresponding GCC clauses. This Guide helps the PDE with inputting all information required and includes a SCC format that summarizes all information to be provided.

The SCC will form part of any resulting contract.

Input of Information to be completed by PDE

Section 8 Special Conditions of Contract

The following Special Conditions of Contract (SCC) shall supplement the General Conditions of Contract (GCC) and whenever there is a conflict, the provisions herein shall prevail over those in the GCC.

GCC clause reference	Special Conditions of Contract
	The Procurement Reference Number is: [Insert Procurement Reference Number]
GCC 1.2 (e)	Eligible Countries: The Eligible Countries are those listed in Section 5 of the Request for Proposal. [Maintain this clause without any amendment].
GCC 1.2 (k)	Member in Charge: The Member in Charge is: [insert full name & title of person]
GCC 4.1 (f)	Contract Documents: The other documents forming part of the contract are: [insert any other documents].
GCC 4.4	Authorized Representatives: The Authorized Representatives are: For the PDE: [insert full name & title of person] For the provider/consultant: [insert full name & title of person]
GCC 5.1	Law Applicable: The contract shall be governed by the Laws of Uganda/ [maintain unmodified or insert any other approved governing Law]
GCC 7.1	Notices: The addresses for Notices are: For the PDE: Attention: Street Address: [insert street address and number] Building/Floor/Office number: [insert floor and room number, if applicable] Town/City: [insert name of Town or City] Post Code/P.O. Box No: [insert postal code, if applicable] Country: [insert name of country] Telephone: [insert telephone number, country and city codes] Email: [insert email address, if applicable]

GCC clause reference	Special Conditions of Contract
	<p>For the consultant: Attention: Street Address: [insert street address and number] Building/Floor/Office number: [insert floor and room number, if applicable] Town/City: [insert name of Town or City] Post Code/P.O. Box No: [insert postal code, if applicable] Country: [insert name of country] Telephone: [insert telephone number, including country and city codes] Email: [insert email address, if applicable]</p>
GCC 8.1	<p>Commencement: The Period within which the Services shall have commenced is: [insert date of contract commencement]</p>
GCC 17.2	<p>Dispute settlement: The Dispute settlement shall be: [Insert the preferred mechanism of dispute settlement]</p>
GCC 18.1	<p>Completion of the Services: The Period within which the Services shall have been completed following commencement of the Services is: [Insert the length of time for contract performance/completion]</p>
GCC 19.5 (c)	<p>Further Assistance; The PDE shall provide the following further assistance.....</p>
GCC 20.1	<p>Counterpart Staff: Counterpart Staff [insert shall or shall not] be provided</p>
GCC 22.1	<p>Contract type: The contract type is: [insert the applicable contract type]</p>
GCC 21.2	<p>Currency of Payment: Payments shall be made in Uganda Shillings or [insert other currency of payment if approval has been granted]</p> <p>The exchange rate for purposes of payment shall be the prevailing Bank of Uganda selling exchange rate at the date of proposal submission deadline</p>
GCC 24.1	<p>Documentation for Payment: The following documentation shall be required to support invoices requesting payments: [insert the list of documents required to approve payment]</p>
GCC 25.1	<p>Payment Schedule: The payment schedule shall be: [insert timing and proportions of payments linked to contract identified deliverables]</p>
GCC 26.1	<p>Advance Payment Guarantee: An Advance Payment Guarantee [insert “shall” or “shall not”] required.</p> <p>The period of validity of the Advance Payment Guarantee shall be: [insert time length or dates]</p>
GCC 27.1	<p>Payment Period: Payment shall be made by the PDE within [insert time length or dates] days of receipt and certification of the invoice accompanied by supporting documents</p>
GCC 28.1	<p>Final Payment shall be made by the PDE within [insert time length or dates] days of receipt and certification of the invoice accompanied by supporting documents.</p>
GCC 31.5	<p>Additional provisions: The additional provisions for Personnel time are: [insert permitted time length or dates]</p>

GCC clause reference	Special Conditions of Contract
GCC 32.1	Price variation: The contract price including the remuneration rates is not subject to price variation for fluctuations in market, commodity or other variable rates. [maintain this clause unmodified]
GCC 33.1	Taxes and duties: The consultant [insert “shall” or “shall not”] bear and pay all taxes, duties, and levies imposed on the consultant, by all municipal, state or national government authorities:
GCC 34.5 (c)	The PDE’s prior approval: The PDE’s prior approval is also required for: [insert matters for PDE’s prior approval]
GCC 36.1	Joint Venture requirements: The individuals or firms in a joint venture or partnerships shall be jointly and severally liable. [Maintain this clause unmodified]
GCC 38.3 (b)	Additional activities prohibited: The following activities are prohibited: [insert any prohibited activities such sexual- harassment, abuse and exploitation]
GCC 39.3	Total Liability: The total liability under the contract shall be the total contract value. [maintain this clause unmodified]
GCC 40.1	Insurance taken out by consultant: The risks and coverage shall be: <ul style="list-style-type: none"> i. Third Party motor vehicle ii. Third Party liability iii. Employer’s liability and workers’ compensation iv. Professional liability v. Loss or damage to equipment and property vi. Other: [insert any other relevant insurances]
GCC 44.1	Restrictions on the use of Deliverables: The future use of deliverables are restricted as follows: [insert applicable restrictions eg on any intellectual property]
GCC 45	A Performance Security [insert Shall or Shall not] be required. A Performance Security shall be for [Insert percentage] of the contract price. An ES Performance Security [insert Shall or Shall not] be required. The ES Performance Security shall be for [Insert percentage] of the contract price:
GCC 48.2	Personnel entitlements: The Key Personnel shall be entitled to payment for: [insert personnel entitlements/benefits]
GCC 50.1	The minimum sustainable procurement technical requirements to be complied with are: [insert as may relevant the Environmental, Social (including Sexual Exploitation and Abuse (SEA) and Gender Based Violence (GBV)), Health and Safety]

Guidance Notes on Section 9: Contract Forms

Section 9 of the Request for Proposal contains forms for the agreement and the Performance Security or insurance performance bond. The purpose of including these forms in the Request for Proposal is to notify the consultants of the type and detail of the contract they would receive in the event of an award. **No input is required by the PDE when drafting the Request for Proposal** and there is no requirement for consultants to submit these forms with their bids/proposals.

Agreement

The complete agreement will form part of any resulting contract. However, the details to be completed on the agreement are specific to the successful bidder/consultant and therefore should be left blank in the Request for Proposal.

After display of the Best Evaluated Bidder/Consultant Notice, the PDE should prepare the agreement using the Agreement Form and send it to the successful consultant. In the event that negotiations are held or there have been clarifications of the successful bid/proposal, it is good practice to conform the contract document in accordance with any agreements reached during negotiations and any modifications during evaluation. The agreement prepared should therefore incorporate any corrections or modifications to the proposal resulting from corrections of errors or omissions, acceptable deviations, or any other mutually-agreeable changes allowed for in the conditions of contract, such as different working hours. The contracting parties will then sign the conformed document.

The successful consultant should sign the agreement and return a copy to the PDE.

Performance Security or Performance Securing Declaration (whichever is applicable)

If after award of a contract, a Performance Security is required, the form should be completed by the financial institution and returned to the PDE, by the Provider with the signed Agreement. Therefore, the PDE is not required to input any information to the performance security form.

As the bidder/consultant would be required to complete the Form in the event of a contract award, the guidance notes in italics between square brackets provide assistance to the bidder/consultant or financial institution and should therefore not be deleted by the PDE prior to the issue of the RFP Document.

This User Guide is not intended for bidders/consultants as all information that the bidder/consultant is required to provide should be detailed by the PDE in the RFP Document. Therefore, the Performance Security form is not included in this User Guide.

[No Input of Information required for inclusion in RFP Document. Input of Information to be completed by the PDE at contract award stage].

ESHS Performance Security

The Performance Security should be on the letterhead of the issuing financial institution and should be signed by a person with the proper authority to sign documents that are binding on the Financial Institution. The draft is for an unconditional security. The amount of the guarantee must represent the percentage of the contract price specified in the contract, and should be denominated in the currency of the contract.

Performance Bond

The Performance Bond should be on the letterhead of the issuing Insurance Company regulated by the Insurance Regulatory Authority of Uganda and should be signed by a person with the proper authority to sign the Performance Bond. The Surety shall fill in this Performance Bond Form in accordance with the instructions indicated.

Advance Payment Security

The Advance Payment Security should be on the letterhead of the issuing Financial Institution and should be signed by a person with the proper authority to sign documents that are binding on the Financial Institution. The amount of the security is to be inserted by the Financial Institution and must represent the amount of the Advance Payment and be denominated in the currency of the Advance Payment as specified in the contract.

Conditional Advance Payment Bond

The Conditional Advance Payment Bond should be on the letter head of the issuing insurance company regulated by Insurance Regulatory Authority and should be signed by a person with the proper authority to sign the advance payment bond. The Surety shall fill this advance payment bond form in accordance with the instructions indicated