



**PUBLIC PROCUREMENT AND DISPOSAL
OF PUBLIC ASSETS AUTHORITY**

"Procurement That Delivers"

Our Ref: PPDA/MACOS/

1st October 2024

The Head Teacher
Makerere College School
P.O. Box 16391
KAMPALA

BID PREPARATORY AUDIT EXERCISE FOR PROCUREMENT OF TWO CLASS ROOM FLOORS ON AN EXISTING GROUND FLOOR AT MAKERERE COLLEGE SCHOOL, MAKERERE CAMPUS

Reference is made to the above subject.

The Public Procurement and Disposal of Public Assets Authority (PPDA) on 24th September 2024 conducted a bid preparatory audit into the procurement for construction of two classroom floors on an existing ground floor at Makerere College School.

The audit exercise involved a review of the procurement planning, requisition/initiation and solicitation document issued to bidders following the Public Procurement and Disposal of Assets Act, Cap 205, the PPDA Regulations, 2023 and PPDA Guidelines.

The objectives of the audit were to:

1. Ensure that public procurement planning and requisition was conducted in a manner which promotes transparency, accountability and fairness in accordance with the PPDA Act, Cap 205, the PPDA Regulations, 2023 and relevant Guidelines.
2. Establish whether the solicitation documents issued to bidders were prepared in accordance with the provisions of the PPDA Act, Cap 205, the PPDA Regulations, 2023 and relevant Guidelines.

The Authority identified some exceptions for the attention of management. The purpose of this letter therefore is to communicate the following findings and recommendations for your attention and action.

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1.0 To establish whether the public procurement planning and requisition process was conducted in a manner which promotes transparency, accountability and fairness in accordance with the Public Procurement and Disposal of Public Assets Act 2003, the PPDA Regulations 2014 and relevant guidelines

Inappropriate Evaluation Committee composition

The Authority noted that the school did not have technical person on the Evaluation Committee that was approved by the Contracts Committee. All members had knowledge in procurement but not in civil works specifically buildings as indicated in Table 1 below:

Table 1: Evaluation Committee Members approved by Contracts Committee

No	Name	Reason for approval
1	Ms. Nkuubi Kilabila Norah	She is credible
2	Mr. Apollo Kiiza	He is available and has knowledge in procurement
3	Ms. Balibawo Rose	She has experience in procurement. She has ever carried out similar tasks
4	Mr. Sengoye	He is credible and responsible. Can guide the committee well
5	Mr. Mugerwa Moses	He has experience in procurement. He is a former member of the contracts committee

Risk Implication

The school risks missing out on the technical guidance of the expertise of technical persons such as Engineers during the evaluation of bids.

Recommendation

The school should consider adopting an engineer from the Ministry of Works and Transport on the evaluation committee to offer technical guidance during the evaluation of bids

2.0 To establish whether the solicitation documents issued to bidders were prepared in accordance with the provisions of the PPDA Act Cap 205, the PPDA Regulations, 2023

2.1 Inappropriate bid security expiry date

The Authority reviewed the solicitation document and noted that ITB 19.1 stated that the Bid Security shall expire on 4th February 2025 the same day of expiry of the bid validity which was contrary to Regulation 63(5) of the PPDA (Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services) Regulations, 2023, which require that bid security shall be valid for at least twenty-eight days after expiry of the bid.

Risk Implication

There is no safety measure and fall-back position for the school in case the bidder decides to withdraw their bid.

Recommendation

The Head Procurement and Disposal Unit should extend the expiry of the Bid Security to at least twenty-eight (28) working days after expiry of the bid validity in accordance with Regulation 63(5) of the PPDA (Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services) Regulations, 2023.

2.2 Environmental Monitoring Reports.

The Authority reviewed the solicitation document and noted that under ITB 15.1 the bidder shall be required to submit its Policy that will apply to the Contractor's Personnel to ensure compliance with its Environmental, Health, Safety and Social Safe Guards (EHSSSG) obligations under the contract, however, the school was silent on how the Contractor shall be assessed to ensure compliance in order to keep abreast of the Environmental, Social, Health and Safety issues affecting the project given the inherent risks.

Risk

The Entity may not be kept abreast of the Environmental, Social, Health and Safety issues affecting the project.

Recommendation

During the contracting stage, the school should provide for monthly submission of Environmental Monitoring Reports.

The Authority recommends that the above observations are immediately rectified, necessary approvals obtained where applicable and bidders notified of the changes before bid closure.

Conclusion

This is to communicate to you the findings and recommendations of the Authority. You are requested to submit to the Authority a status of implementation of the recommendations within two weeks from the date of this letter.



Simon Businge

FOR: EXECUTIVE DIRECTOR

cc: Chairperson, Contracts Committee
cc: Head Procurement and Disposal Unit