

**The Republic of Uganda**

**USER GUIDE FOR THE PROCUREMENT OF SUPPLIES UNDER QUOTATION METHOD**

**August 2025**

**PREFACE**

This is a revised version of the User Guide issued in 2005 by the Public Procurement and Disposal Authority. The User Guide is intended to facilitate the use of the SBD for Supplies under Quotation method that was issued by the Authority in 2025.

The Public Procurement and Disposal of Public Assets Authority welcomes any feedback on this User Guide that would support its improvement. Feedback can be addressed to [info@ppda.go.ug](mailto:info@ppda.go.ug) or at the contact below:

**The Executive Director**

**Public Procurement and Disposal of Public Assets Authority**

PPDA - URF Towers Plot 39 Nakasero Road

P.O. Box 3925 Kampala.

**Website:** [www.ppda.go.ug](http://www.ppda.go.ug/) @PPDAUganda

**Table of Contents**

Introduction 4

[Purpose of the User Guide 4](#_TOC_250015)

When to Use the SBD for Supplies 5

[How to Draft an individual Bidding Document 6](#_TOC_250014)

[Rules for drafting Bidding Documents 6](#_TOC_250013)

[Guidance Notes on the Preface Section 7](#_TOC_250012)

Guidance Notes for the preparation of Letter of Request for Quotations Requests for Quotations 7

The Standard Request for Quotations (SRFQs) 8

[Guidance Notes on Section 1: Bidding Procedures 10](#_TOC_250011)

[Guidance Notes on Section 2: Bidding Forms 10](#_TOC_250010)

[Guidance Notes on Part 2: Statement of Requirements (SORs) 11](#_TOC_250009)

[Guidance Notes on Section 3: Technical Specifications (TORs) 11](#_TOC_250008)

[Guidance Notes on Section 4: List of Supplies and Price Schedule 16](#_TOC_250007)

[Guidance Notes on Section 5: General Conditions of Contract for provision of Supplies 17](#_TOC_250006)

[Guidance Notes on Section 6: Special Conditions of Contract (SCC) 17](#_TOC_250005)

[Section 6: Special Conditions of Contract 18](#_TOC_250004)

[Guidance Notes on Section 7: Contract Forms 21](#_TOC_250003)

[Agreement 21](#_TOC_250002)

[Environmental and Social (ES) Performance Security 21](#_TOC_250001)

[Performance Securing Declaration 21](#_TOC_250000)

Conditional Advance Payment Bond 22

**LIST OF ACRONYMS**

|  |  |
| --- | --- |
| **AO** | Accounting Officer |
| **BEB** | Best Evaluated Bidder |
| **BSS** | Bid Submission Sheet |
| **BSD** | Bid Securing Declaration |
| **CC** | Contracts Committee |
| **eGPS** | Electronic Government Procurement System |
| **ESHS** | Environmental, Social, Health and Safety |
| **GCC** | General Conditions of the Contract |
| **GOU** | Government of Uganda |
| **ISO** | International Standards Organisation |
| **NOBEB** | Notice of Best Evaluated Bidder |
| **PDE** | Procuring and Disposing Entity |
| **PPDA** | Public Procurement and Disposal of Public Assets Authority |
| **PDU** | Procurement and Disposal Unit |
| **SBD** | Standard Bidding Document |
| **SCC** | Special Conditions of the Contract |
| **SOR** | Statement of Requirements. |
| **SRFQ** | Standard Request for Quotations |
| **TCS** | Technical Compliance Selection |
| **TOR** | Terms of Reference |
| **UD** | User Department |

**Guidance Notes on the use of Standard Bidding Document and User Guide**

The purpose of the Standard Bidding Document is to provide PDEs with one common standard draft 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 SBD for the Procurement of supplies using Quotation Method has been designed to:

1. Simplify the drafting of individual Standard Request for Quotations (SRFQ) for the procurement of supplies by Procurement and Disposal Units (PDUs);
2. Minimise the time required by the Contracts Committee (CC) to approve the SRFQ prior to release;
3. Reduce bidders’ time and effort in the preparation of bids; and
4. Facilitate and simplify the evaluation and comparison of bids and contract award by the PDE.

The key feature of the SBD 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 bidding document. The SBD contains completion notes only for bidders; these are primarily in the Bidding Forms. This User Guide contains all the explanations and notes necessary for PDEs to use the SBD.

# Purpose of the User Guide

This User Guide has been prepared to provide guidance to public officials in the correct use of the SBD for supplies as a model for preparing an individual bidding document.

Users should ensure that the correct User Guide is referred to. Different User Guides have been prepared for each SBD including those for Non-Consultancy, Consultancy Services and works. Users should refer to the header and footer of each page of the User Guide to ascertain this.

The User Guide is not legally binding, but PDEs must comply at all times with the PPDA Act, Cap 205, the Regulations and Guidelines.

Guidance notes intended for bidders [or Financial Institutions] are included in the SBD itself in section 2 and 7. All such notes are found between square brackets in italics e.g. *[insert name of …..]. these guidance notes should not be deleted from the bidding document when drafting*.

This User Guide contains guidance notes for PDEs in the use of the SBD and how to complete and issue the SBDs. 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 summarise:

**Notes in Italics in the SBDs are for Bidders. Notes in Bold in the User Guide are for PDEs.**

# When to Use the Standard Bidding Document for Supplies services

## Procurement Method

The SBD for supplies is suitable for use under the Quotation method.

## Structure of the Standard Bidding Document

The SBD is divided into seven separate Sections and a Preface. PDEs are required to use all Sections of the SBD to produce an individual bidding document for issue to bidders. The SBD comprises:

Letter of Request for Quotations

**Part 1 Instructions to Bidders** Section 1: Bidding Procedures Section 2: Bidding Forms

**Part 2 Statement of Requirements**

Section 3: Technical Specifications

Section 4: List of Services and Price Schedule

**Part 3 Contract**

Section 5: General Conditions of Contract Section 6: Special Conditions of Contract Section 7: Contract Forms

## Customising and Drafting Documents

The PPDA issues SBDs to all PDEs. On receipt of these SBDs, each PDE is permitted to customise the SBDs for use

The areas that require customisation by the PDE are shown in square brackets e.g. **[Insert name and logo of PDE]**. This customization should be a one-off function to enter on the master SBD the following details prior to general issue and use within the PDE;

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

When customising 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 customised standard documents shall be approved by the Contracts Committee (CC) for use by the PDE.

The customised standard documents should be available from the PDU.

The customised standard documents shall be used by the PDEs for drafting documents for individual procurement or disposal requirements.

For clarity and the avoidance of doubt-

**Customisation** is the process of completing identification details in the standard documentation issued by the Authority to make it suitable for drafting by the PDE; and

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

# How to Draft an individual Bidding Document

It is important that PDEs always use the original customised SBD to commence drafting a new bidding document for each new procurement requirement. Therefore, following customisation, **the original SBD should not be amended** in any way.

# Rules for drafting Bidding Documents

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

Most importantly the provisions in

**Section 5: “General Conditions of Contract”**

## Must be used with their text unchanged.

Any data or information that Sections 1 or 5 require is to be included respectively in

**Section 1: “Bidding procedures” and Section 6: “Special Conditions of Contract.”**

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

**Section 2: “Bidding Forms”** The Forms in this section are to be completed by the bidder.

No changes to the standard forms should be made by the PDE.

**Part 2: “Statement of Requirement”** This Section should be completed with details of the requirement by the PDE.

**Section 7: “Contract Forms”** PDEs are required to include the Contract Form in the Bidding Document. Details do not need to be completed until the contract award stage.

This User Guide contains a section corresponding to each section of the SBD. It also includes an initial section on how to prepare the letter of request for quotations.

In drafting bidding documents using the SBDs, Users should not:

1. Delete any Section or page breaks,
2. Make any changes to the headers of the SBD,
3. Make any changes to the footers of the SBD.

# Guidance Notes on the Preface Section

This Section of the SBD comprises two pages of which the first page is the cover sheet to the bidding document. Only the first page of the Preface requires any inputs or text changes as illustrated below.



**[Procuring and Disposing Entity Logo]**

**The Republic of Uganda**

**[Name of Procuring and Disposing Entity]**

**Bidding Document for the**

**Procurement of Supplies under Quotation Method**

**Subject of Procurement: The provision of [Insert general description of Supplies required].**

**Procurement Reference Number: [Insert the Procurement Reference number for this**

**Procurement]**

**Date of Issue: [Insert official release date of the Bidding Document to Providers]**

**Guidance Notes for the preparation of Letter of Request for Quotations Requests for Quotations**

Requests for quotations must be sent to shortlisted bidders and are designed to provide information that enables potential bidders to decide whether to participate in a bidding process. Apart from the essential items listed in the draft below, the Request for Quotation should also indicate any important bid evaluation criteria and any further information relating to the proposed bidding process, such as the intention to hold a pre bid meeting should also be included if appropriate.

The Request for quotations is only for purposes of inviting potential bidders and is not a part of the bidding document.

**STANDARD INVITATION TO BIDDERS UNDER QUOTATIONS BIDDING METHOD**

**[Procuring and Disposing Entity Logo] [Name of PDE and Address] or**

**Use PDE Letterhead]**

**Date**

**[Name and Address of Shortlisted Bidder]**

**Request for Quotations for [Subject of Procurement]-[**Procurement Reference Number]

1. The [*insert name of PDE*] has allocated funds to be used for the acquisition of [*insert description of supplies to be procured].*
2. The Entity invites your quotation for provision of the supplies described above.
3. This procurement process will be conducted in accordance with the Request for Quotations procurement method procedures contained in the PPDA Act, Cap 205 and the Regulations and the bidding procedures described in Part 1.
4. This Request for Quotation has been addressed to the following shortlisted bidders [*Insert list of shortlist bidders].*
5. The supplies are described in detail in Part 2: Statement of Requirements.
6. There shall be a pre-bid meeting at *[insert address and time]* on the dates indicated in the proposed schedule in this notice.
7. Bidders should note the following:
   1. Documents may be inspected at: [Insert address and contact details]
   2. Documents will be issued from: [Insert address and contact details]
   3. Quotations must be delivered to: [Insert address and contact details]
   4. Address of Quotation opening: [Insert address and contact details]
8. All bids must be accompanied with a bid securing declaration which must be valid until *(Insert day, month and year).*
9. Please inform us, upon receipt:
   1. That you received the letter of invitation; and
   2. Whether you will submit a Quotation alone.
10. Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.
11. The planned procurement schedule for this procurement (subject to changes) is as follows:

|  |  |
| --- | --- |
| **Activity** | **Date** |
| a. Issue of Request for Quotations | (*Expected date of Issue of Request for Quotation*) |
| b. Bid closing date | (*Expected bid closing date*) |
| c. Evaluation process | (*Within 10 working days from bid closing date*) |
| d. Display and communication of best evaluated bidder notice | *(Within 5 working days from Contracts Committee award*) |
| e. Contract Signature | (*After expiry of at least 10 working days fromdisplay of the best evaluated bidder notice and Attorney General’s approval*). |

1. Any queries should be addressed to at the addressgiven above.
2. Please prepare and submit your quotation in accordance with the instruction to bidders in Part 1 or inform the undersigned if you will not be submitting a quotation.

Signature: ..............................................................................

Name: ..............................................................................

Position of Authorised Official: ..............................................................................

***[Insert Accounting Officer/position of other authorised officer*]**

# Guidance Notes on Section 1: Bidding Procedures

The bidding procedures inform bidders of the procedures that regulate the bidding process. The bidding procedures clearly identify the provisions that may normally need to be specified for a particular bidding process and require that such details be introduced **as indicated**.

Conventionally the bidding procedures 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 5, 6 and 7, 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.

The bidding procedures are not a contract document and, therefore, **are not a part of the contract**.

# Guidance Notes on Section 2: Bidding Forms

The PDE shall include in the bidding document all bidding forms that the bidder shall fill out/sign and include in its bid. As specified in Section 2 of the bidding document, the forms are:

* 1. Bid Submission Sheet;
  2. Code of Ethical Conduct in Business for Bidders and Providers;
  3. Bid-Securing Declaration;
  4. Beneficial ownership declaration form;
  5. Technical specification; and
  6. List of Supplies and Price Schedule

As the bidder is required to complete these Forms, guidance notes are included in the forms in italics between square brackets in the SBD and these should therefore not be deleted by the PDE prior to the issue of the bidding document. The PDE **is not required to input or change any information** in Section 2.

This User Guide is not intended for bidders as all information that the bidder is required to provide should be detailed by the PDE in the bidding document.

The Section 2 Forms complete with guidance notes is not therefore included in this User Guide.

## Bid Submission Sheet

The bid Submission Sheet provides a standard form for bidders to complete and forms part of their bid.

All information required on the Bid Submission Sheet is to be completed by bidders. The PDE **is not required to input or change any information** in the bid Submission Sheet and it is therefore not included in this User Guide.

Instructions to the bidders on completing the form are given at the top of the form in italics and should not be deleted by the PDE.

## Code of Ethical Conduct in Business for Bidders and Providers

The Code of Ethical Conduct in Business for Bidders and Providers provides a standard template for bidders/providers to fill and sign and include as part of their bid.

All information stated in the template is to be reproduced by bidders. The PDE **is not required to input or change any information** in the Code of Ethical Conduct in Business for Bidders and Providers and it is therefore not included in this User Guide.

Instructions to the Bidders on completing the template are given at the top of the form in italics and should not be deleted by the PDE.

## Bid-Securing Declaration

The Bid-Securing Declaration a standard form for bidders/providers to fill and sign and include as part of their bid.

All information stated in the form is to be completed by bidders. The PDE **is not required to input or change any information** in the Bid–Securing Declaration and it is therefore not included in this User Guide.

Instructions to the Bidders on completing the template are given at the top of the form in italics and should not be deleted by the PDE.

# Guidance Notes on Part 2: Statement of Requirements (SORs)

The Statement of Requirements (SOR) gives bidders details of the services the PDE wishes to procure.

**The Statement of Requirements will form part of the contract.**

The Statement of Requirements should be prepared by the PDU, with assistance from the User Department, prior to the issue of the bidding document. Where required, assistance should be sought from an official with relevant technical knowledge in preparing the SOR.

## Contents of the Statement of Requirements

The Statement of Requirements normally consists of two parts:

1. The Statement of Requirements;
2. Sustainable procurement: ESHS Requirements;
3. The List of Services and Price Schedule.

# Guidance Notes on Section 3: Technical Specifications (TORs)

The PDE should insert the procurement reference number at the top of the page, ensuring that it is the same as on the SRFQs letter. The Procurement Reference Number should be left blank, as it is for completion when attaching the SOR to Contract Agreement.

The technical specifications should be prepared by the User Department (UD), 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.

Page **11** of **22**

The technical specifications should provide sufficient information to enable bidders to prepare bids that are realistic and competitive and which meet the PDE’s needs. The technical specifications should be complete, precise, and clear. Incomplete, imprecise, or unclear technical specifications may prompt bidders to request clarifications from the PDE or to submit conditional bids or bids 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 SBD and eventually to extend the submission deadline. Conditional bids may have to be rejected. Bids that are not comparable could not be evaluated.

The content of Technical specification is determined by the individual assignment, but typically should include the following details:

* The purpose of the assignment and what it is expected to achieve;
* A description of the scope of the services required;
* The location or locations for performance of the services;
* The role, qualifications and experience of any key staff required, such as supervisors;
* The duration of the contract or expected completion date;
* The hours of work or hours when the provider will have access to the site, where applicable;
* 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;
* Any facilities, services or resources to be provided by the PDE;
* Arrangements for reporting to the PDE, including lines of communication and the contact point for management and administration of the assignment;
* Any other details or requirements relevant to the assignment.

# 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 its bid using the following guide]:**

The sustainable procurement technical requirements if any shall be clearly specified in the bidding document. The requirements to be specified shall be specific enough to not demand evaluation based on rated criteria/merit point system. The sustainable procurement requirements shall be specified to enable evaluation of such a requirement on a pass/fail i.e.

To determine a bidder’s competence, PDEs may ask for information on:

* Use of energy saving equipment when offering the services;
* Tele/Video conferencing rather than face to face meetings;
* Requirement for ISO 14001 certification;
* Use of water saving equipment when offering cleaning services;
* Existence of Sustainable procurement policy;
* Initiatives that support marginalised groups in the community.
* Any other.

Page **12** of **22**

The Environmental, Social, Health~~y~~ 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 competence, PDEs may ask for information on:

* The experience in the type of work to be done;
* Their health and safety policies and practices;
* Their recent health & safety performance (No. of accidents etc.);
* The qualifications and skills they have;
* Their selection procedure for sub-contractors;
* The health and safety training and supervision they provide;
* Their arrangements for consulting their workforce;
* If they have any independent assessment of their competence (ISO Certifications);
* 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 contracts for supplies. 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:

1. Apply good international industry practice to protect and conserve the natural environment and to minimise unavoidable impacts;
2. Provide and maintain a healthy and safe work environment and safe systems of work;
3. Protect the health and safety of local communities and users, with particular concern for vulnerable;
4. 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;
5. 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;
6. Incorporate a gender perspective and provide an enabling environment where women and men have equal opportunity to participate in, and benefit from;
7. Work co-operatively, with end users of the Services;
8. Engage with and listen to affected persons and organizations and be responsive to their concerns, with special regard for vulnerable, disabled, and elderly people;
9. Provide an environment that fosters the exchange of information, views, and ideas that is free of any fear of retaliation, and protects whistle-blowers;
10. Minimise the risk of HIV transmission and to mitigate the effects of HIV/AIDS associated with the execution of the Services;

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:

1. Project reports e.g., Environmental and Social Impact Assessment (ESIA)/ Environmental and Social Management Plan (ESMP)
2. Required ESHS standards or internationally accepted standards e.g. WB EHS Guidelines
3. Relevant international conventions or treaties, national legal and/or regulatory requirements and standards.
4. Relevant international standards e.g., WHO Guidelines for Safe Use of Pesticides
5. Relevant sector standards e.g., EU Council Directive 91/271/EEC Concerning Urban Waste Water Treatment
6. Grievance redress mechanism including types of grievances to be recorded and how to protect confidentiality e.g., of those reporting allegations of GBV/SEA.
7. 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 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:

1. Project reports e.g., ESIA/ESMP
2. Any particular GBV/SEA requirements
3. Consent/permit conditions **(regulatory authority conditions attached to any permits or approvals for the project)**
4. Required standards including World Bank Group EHS Guidelines
5. Relevant international conventions, standards or treaties, etc., national, legal and/or regulatory requirements and standards where applicable;
6. Relevant standards e.g., Workers’ Accommodation: Process and Standards (International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD)) if applicable;
7. Relevant sector standards e.g., workers’ accommodation if applicable;
8. 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 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);
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:

* 1. Received a copy of the code;
  2. Had the code explained to them;
  3. Acknowledged that adherence to this Code of Conduct is a condition of employment; and
  4. 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 4: List of Supplies and Price Schedule

The purpose of the List of Supplies and Price Schedule is to:

1. Briefly describe and specify the quantities of each of the supplies the PDE requires; and
2. Provide a standard form on which bidders should complete their rates, facilitating both the preparation of bids by bidders and the evaluation of prices by the PDE.

As a part of the Statement of Requirements (SORs), the List of Supplies and Price Schedule completed by the successful bidder **will form part of any resulting contract.**

The PDU should insert the procurement reference number at the top of the List of Supplies and Price Schedule, ensuring that it is the same as on the SRFQ letter. The Contract Agreement reference Number should be left blank, as it is for completion when attaching the quotation of the successful bidder to the Contract Agreement. **Complete the first four columns** as follows:

* + Column 1: Item No – **[number all items sequentially i.e. 1, 2, 3 etc.]**;
  + Column 2: Description of supplies – **[give a brief description of each item]*.***
  + Column 3: Quantity – **[state the quantity required of each item].**
  + Column 4: Unit of Measure – **[state the unit of measure e.g. days or months].**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No** | **Description of Supplies** | **Quantity** | **Unit of Measure** | **Unit Price** | **Total Price** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| *Enter 0% VAT rate if VAT exempt.* | | | **Other additional costs** | |  |
| **Subtotal** | |  |
| **VAT @**  **%** | |  |
| **Total** | |  |

**[The Unit Rate and total price columns, including the subtotal and total etc, should be left blank, to be completed by the bidder. Similarly, the signature block at the bottom of the List of Supplies and Price Schedule should be left blank for the bidder’s authorisation].**

# Guidance Notes on Section 5: General Conditions of Contract for provision of Supplies

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 6: Special Conditions of Contract (SCC)

## Input of Information to be completed by Procuring and Disposing Entity

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 bidding 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 summarises all information to be provided.

**The SCC will form part of any resulting Contract**.

# Section 6: Special Conditions of Contract

**Procurement Reference Number:** ......................................................................

The clause numbers given in the first column correspond with the relevant clause number of the General Conditions of Contract.

|  |  |
| --- | --- |
| **GCC clause reference** | **Special Conditions** |
| **Procurement Reference Number** | The Procurement Reference Number is: **[Insert Procurement Reference Number]** |
| **GCC 1(g)**  **Eligible Countries** | The Eligible Countries are those listed in Section 5 of the bidding document.  **[This clause should not require any amendment]** |
| **GCC 1(o)**  **Site** | The Site for delivery of the supplies is: **[Insert the full delivery address for the supplies. Where delivery is required to more than one site, ensure that the address is given for all sites and specify which items are to be delivered to which site.]** |
| **GCC 2.1(f)**  **Additional Documents** | The other documents forming part of the contract are: **[Insert the list of documents]. [The list of documents required will depend on the type of supplies, whether the shortlist includes any international bidders and other terms and conditions of the contract]** |
| **GCC 4.2 (b)**  **Incoterms Versions** | The version of Incoterms shall be: **[Insert the version of Incoterms issued by the International Chamber of Commerce (ICC). E.g. Incoterms 2020]** |
| **GCC 5.1**  **Language** | The language shall be English. **[or insert alternative language where approved]** |
| **GCC 8.1**  **Notices** | For **notices**, the PDE’s address shall be:  Attention: [**insert name of the provider]**  Street Address: [**insert street address and number]**  Floor/Room number: **[insert floor and room number, if applicable]**  Town/City: **[insert name of city or town]**  P. O. Box: **[insert postal address, if applicable]**  Country: **[insert name of country]**  Telephone: **[insert telephone number, country and city codes]**  Electronic mail address: **[email address, if applicable]**  Electronic mail address: **[email address, if applicable]**  For **notices**, the provider’s address shall be:  Attention: [**insert name of the provider]**  Street Address: [**insert street address and number]**  Floor/Room number: **[insert floor and room number, if applicable]**  Town/City: **[insert name of city or town]**  P. O. Box: **[insert postal address, if applicable]**  Country: **[insert name of country]**  Telephone: **[insert telephone number, country and city codes]**  Electronic mail address: **[email address, if applicable]** |

|  |  |
| --- | --- |
| **GCC clause reference** | **Special Conditions** |
| **GCC 9**  **Governance laws** | The Governing law shall be the law of Uganda **[or insert alternative governing law where approved]** |
| **GCC 10.2**  **Dispute Settlements** | The procedure for settling disputes shall be **[Insert the preferred dispute settlement procedure]** |
| **GCC 12**  **Delivery Documents** | Date of delivery shall be: **[Insert the date of delivery]**  The shipping and other documents to be furnished by the provider are:  **[List the documents to be furnished by the provider]**  The point of delivery shall be: **[Insert details of the place where the supplies will be delivered]** |
| **GCC 15**  **Price Adjustments** | The price adjustment shall be: **[Insert ‘none’ or indicate if prices under the contract shall be adjusted and if so, insert the methodology for adjustment.]** |
| **GCC 16.1**  **Structure of Payments** | The structure of payments shall be: **[Insert payment following delivery of the supplies and submission of relevant documents. Where supplies**  **are being delivered in more than one instalment, payment will be made after each instalment. Where supplies are to be installed, payment will be made following installation, rather than delivery.]** |
| **GCC 16.3**  **Payment Periods** | The payment period shall be made no later than 30 days after submission of an invoice and its certification by the PDE. **[This wording states the Government’s normal payment terms of thirty days. The wording can be amended where necessary, e.g payment after sixty days.]** |
| **GCC 16.4**  **Currency** | The currency(ies) for payments shall be: **[Insert the currency of payment]. [To avoid any possible confusion, the currency is stated on the list of supplies and the price schedule.]** |
| **GCC 17.1**  **Advance Payments** | An advance payment guarantee **[insert “shall” or “shall not”]** be required.  The period of validity of the Advance Payment Guarantee shall be: **[Insert the expected expiry date of the advance payment guarantee.]** |
| **GCC 19.3**  **Performance Security** | The forms of acceptable Performance Securities are:  **[List the acceptable forms of performance securities.]** |
| **GCC 19.4**  **Discharge of Performance Security** | Discharge of the Performance Security shall take place:  **[State how Performance Security will be discharged if different from GCC or state “as in GCC”]** |

Page **19** of **22**

|  |  |
| --- | --- |
| **GCC clause reference** | **Special Conditions** |
| **GCC 24.2**  **Packing** | The packing, marking and documentation within and outside the packages shall be:  [Insert any special packing, marking or documentation conditions e.g. cool storage for drugs, additional packaging for fragile items, splitting the items into separate packages for delivery to different sites, marking the packages with the name of the PDE or the destination addresses where there are several delivery sites etc.] |
| **GCC 25**  **Insurance** | The insurance coverage **[insert “shall” or “shall not”]** be required:  Where insurance coverage is required, the supplies shall be insured 110% of the total contract value. **[If the supplies are insured, insert the insurance requirements e.g. “to a value of 110% of the delivered cost of the items”]** |
| **GCC 26**  **Incoterm** | The INCOTERMS shall be: **[Insert the incoterm and delivery place e.g. CIP Entebbe or DDP Kampala. For guidance on the meaning and use of incoterm, consult the ICC Incoterms book or seek advice.]** |
| **GCC 28**  **Liquidated Damages** | Liquidated Damages **[insert “shall” or “shall not”]** apply. **[Liquidated damages should not normally be required. If required, the standard text should be replaced with the following: “Liquidated damages shall apply.”]**  The liquidated damage shall be: **[Insert percentage for liquidated damages e.g., one half of one percent per week]** % per week  The maximum amount of liquidated damages shall be: **[Insert maximum amount e.g. ten percent of the contract value]** |
| **GCC 29.3**  **Warranty** | The period of validity of the Warranty shall be: **[Insert the applicable warranty period.]** |
| **GCC 29.5**  **Defective Supplies** | The period within which the provider shall repair or replace defective supplies shall be: **[Insert the period that actual repairs or replacements are to take. The period will depend on the complexity of the equipment purchased.]** |
| **GCC 31(b)**  **Aggregate Liability** | The amount of aggregate liability shall be: **[Insert the amount of aggregate liability, e.g. total contract price.]** |

Page **20** of **22**

# Guidance Notes on Section 7: Contract Forms

Section 7 of the bidding document contains forms for the Agreement and the Performance Security in the form of a performance securing declaration. The purpose of including these forms in the bidding document is to notify the bidders 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 Bidding Document** and there is no requirement for bidders to submit these forms with their bids.

## Agreement

**The completed Agreement will form part of any resulting contract**. However, the details to be completed on the Agreement are specific to the successful bidder and therefore should be left blank for inclusion in the bidding document.

After display of the best evaluated bidder notice, the PDE should prepare the Agreement using the Agreement Form and send it to the successful bidder. In the event that negotiations are held or there have been clarifications of the successful bid, 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 Bid resulting from 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.

This Guide includes an Agreement format that summarises all the information to be provided when preparing the Agreement at contract award stage.

The successful bidder should sign the Agreement and return a copy to the PDE.

## Environmental and Social (ES) Performance Security

*[The Environmental and Social 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 either in the currency(ies) of the contract or in a freely convertible currency acceptable to the PDE].*

## Performance Securing Declaration

After the award of contract, a Performance Securing form should be completed by the provider and returned to the PDE with the signed Agreement. Therefore, the PDE is not required to input any information to the performance securing Declaration Form.

As the bidder 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 and should therefore not be deleted by the PDE prior to the issue of the bidding document.

This User Guide is not intended for bidders as all information that the bidder is required to provide should be detailed by the PDE in the bidding document. Therefore, the Performance Securing Declaration Form is not included in this User Guide.

Page **21** of **22**