



**PUBLIC PROCUREMENT AND DISPOSAL  
OF PUBLIC ASSETS AUTHORITY**  
"Procurement That Delivers"

**Our Ref: PPDA/DPP/133**

15<sup>th</sup> February 2024

The Director  
Directorate of Public Prosecutions  
P.O Box 1550  
**KAMPALA**

**BID PREPARATORY AUDIT EXERCISE FOR THE PROCUREMENT OF ASSORTED OFFICE FURNITURE FOR OFFICE OF THE DIRECTORATE OF PUBLIC PROSECUTIONS AND SUPPLY AND INSTALLATION OF CURTAINS FOR OFFICE OF THE DIRECTORATE OF PUBLIC PROSECUTIONS FIELD STATIONS**

Reference is made to the above subject.

On 4<sup>th</sup> February 2024, the Public Procurement and Disposal of Public Assets Authority (PPDA) in accordance with Section 7 (j) (i) of the PPDA Act, 2003 conducted a bid preparatory audit for the Supply and Delivery of locally made assorted furniture for various ODPP Offices and the Supply, delivery and fixing of curtains at ODPP Field Offices.

The objectives of the audit were to:

1. Establish whether the public procurement planning and requisitioning processes were conducted in a manner which promotes transparency, accountability and fairness in accordance with the PPDA Act, 2003 and PPDA Regulations, 2014; and
2. Establish whether the solicitation document issued to the bidders was prepared in accordance with the provisions of the PPDA Act, 2003 and PPDA Regulations, 2014.

The scope of the bid preparatory audit included a review of the procurement requisition form, solicitation document, bid notice and the Contracts Committee approval of the procurement method, Evaluation Committee and solicitation document. The areas of the solicitation document analyzed were - Instructions to Bidders, Bid Data Sheet, Evaluation Methodology and Criteria, Bidding Forms and the Special and General Conditions of Contract.

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The Authority identified the following exceptions with regard to procurement planning, requisitioning and bidding document preparation for the attention of management.

**1.0 To establish whether the public procurement planning and requisitioning processes were conducted in a manner which promotes transparency, accountability and fairness in accordance with the PPDA Act, 2003 and PPDA Regulations, 2014; and**

The Authority found that planning and requisitioning was adequately done and thus no exceptions were noted in this area.

**2.0 Establish whether the solicitation document issued to the bidders was prepared in accordance with the provisions of the PPDA Act, 2003 and PPDA Regulations, 2014.**

The Authority conducted an analysis of the solicitation document on the E-GP system and observed the following exceptions;

**2.1 Margin of preference**

The Authority noted that margin of preference was not provided for in bidding documents of the above two procurements. Section II, Bid Data Sheet (ITB 35.1) of the bidding document provided that a margin of preference **shall not** apply as opposed to making it mandatory which was in breach of Section 59A (1a) of the PPDA Act 2003 that provides that Preference schemes shall be applied in respect of goods, works and non-consultancy services, where the open domestic or open international bidding methods are used, with a specified margin of preference being added during the financial comparison stage of the evaluation process to the evaluated price of the bid which does not qualify for preference.

**Implication**

Local firms are denied chance of attaining a competitive advantage in the event that foreign firms participate.

**Recommendation**

The Head Procurement and Disposal Unit should ensure that margin of preference is provided in the document for proposes of attaining a competitive advantage to local firms in the event that foreign firms participate and in all for open domestic or open international bidding methods in accordance with Section 59A (1)(a) of the PPDA Act 2003 as amended.

**2.2 Errors in Section 6 (Statement of Requirements)**

The Authority noted that in the procurement for supply, delivery and fixing of curtains at ODPP Field Offices, bidders were required in the technical specifications to provide evidence of two similar contracts (in supply of office Furniture) with a Government Entity executed in the last three years amounting to UGX 300,000,000 each. The above requirement was irregular since the procurement was for the supply of curtains and not furniture and thus could result into low bidder response.

**Implication**

This may result into low bidder turn up thus affecting effective competition.

**Recommendation**

The Head Procurement and Disposal Unit should revise the requirement without restricting competition and submit to the Contracts Committee for approval in accordance with Regulation 7 (4) of the PPDA (Evaluation) Regulations, 2014.

**2.3 Unclear acronyms stated in the Pre-bid minutes**

The audit noted the use of unexplained acronyms for example (RSA) in the pre-bid minutes which was used to provide clarification to bidders on the locations to which the curtains are to be delivered and installed.

**Implication**

This may result into misinterpretation by bidders.

**Recommendation**

The Authority recommends that all acronyms are well defined for clarity purposes.

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

The purpose of this letter is to forward the findings of the bid preparatory audit exercise for implementation.



Dr. Aloysius M. Byaruhanga

**FOR: EXECUTIVE DIRECTOR**

cc: The Chairman, Contracts Committee  
cc: The Head, Procurement and Disposal Unit