



## Public Procurement and Disposal of Public Assets Authority

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PPDA/RGF/005

Our Ref: .....

Your Ref: .....

16<sup>th</sup> November 2021

The Permanent Secretary  
Ministry of Education and Sports  
KAMPALA

The Permanent Secretary  
Ministry of Health  
KAMPALA

The Accounting Officers  
District/ City/ Municipal Local Government Procuring and Disposing Entities

### CIRCULAR NO. 8 OF 2021

#### GUIDANCE ON THE PROCUREMENT OF CONSTRUCTION WORKS FOR PROJECTS IN THE HEALTH AND EDUCATION SECTORS

Reference is made to the directives by His Excellency the President dated 1<sup>st</sup> July and 1<sup>st</sup> November, 2021 on the engagement of the Army Construction/Engineering Brigade to construct all projects in the Education and Health Sectors beginning FY 2021/22.

In accordance with Section 7 (1)(a) of the PPDA Act, 2003, this is to guide that the construction works in the Education and Health sectors, financed 100% by Government of Uganda, should be undertaken as follows:

1. The Accounting Officers of the implementing agencies of the Ministry of Education and Sports, Ministry of Health and District/ City/ Municipal Local Government Procuring and Disposing Entities should contract out the construction works in the health and education sectors to the Accounting Officer Ministry of Defence and Veteran Affairs using a "Memorandum of Understanding". This is in accordance with Section 39 (b) (i) of the PPDA Act, 2003.
2. The Memoranda of Understanding should provide for:
  - i. The mechanism for implementation of the works shall be by the Army Construction/Engineering Brigade or the National Enterprise Corporation (NEC).
  - ii. The obligations of the parties.
  - iii. The procedures of reporting on the execution of the works.
  - iv. The monitoring of the projects to be undertaken by a Contract Management Team comprising of the following where applicable:

- a) Engineer;
  - b) Health Officer;
  - c) Education Officer;
  - d) Environmental Officer;
  - e) Community Officer;
  - f) Official from the Line Ministry; or
  - g) Official from the Ministry of Works and Transport.
- v. The costs to be paid and the modalities of payment.
3. The Ministry of Defence and Veteran Affairs shall use the Army Construction/Engineering Brigade or NEC to undertake the works by, among others, the force account mechanism as provided under the PPDA (Force Account Mechanism) Regulations, 2014.
4. The Ministry of Education and Sports, Ministry of Health and District/ City/ Municipal Local Government Procuring and Disposing Entities retain the responsibility of supervising the works constructed by the Army Construction/Engineering Brigade or NEC.
5. For GOU wholly funded projects, where the procurements were started but not concluded, guidance should be sought from the Attorney General while contracts already awarded to private companies should be brought to their logical conclusion.
6. Procurement of construction works at Universities shall be undertaken using PPDA laws. Entities are further advised to ensure that lists of projects are submitted to the Ministry of Defence and Veteran Affairs and that construction sites are available and documented without any encumbrances.

The Authority is available to provide clarification on the matter whenever necessary. The Accounting Officers remain responsible for ensuring value for money in the conduct of procurements.



Benson Turamye

**EXECUTIVE DIRECTOR**

- c.c.: The Rt. Honorable Prime Minister
- c.c.: The First Lady and Hon. Minister of Education and Sports
- c.c.: The Hon. Minister of Finance, Planning and Economic Development
- c.c.: The Hon. Minister of Health
- c.c.: The Hon. Minister of Local Government
- c.c.: The Hon. Minister of Information, Communication and Technology and National Guidance Information
- c.c.: The Hon. Minister of Defence and Veteran Affairs
- c.c.: All Hon. Ministers of State of Finance, Planning and Economic Development
- c.c.: The Hon. Minister of State for Economic Monitoring
- c.c.: The Permanent Secretary/Secretary to Treasury, Ministry of Finance Planning and Economic Development
- c.c.: The Permanent Secretary, Ministry of Local Government
- c.c.: The Permanent Secretary, Ministry of Defence and Veteran Affairs
- c.c.: The Principal Private Secretary to H.E. the President