



The Republic of Uganda

**USER GUIDE FOR THE STANDARD BIDDING
DOCUMENT FOR THE PROCUREMENT
OF NON-CONSULTANCY SERVICES
UNDER OPEN AND RESTRICTED BIDDING
METHODS**

AUGUST 2025

PREFACE

This User Guide is intended to facilitate the use of the SBD for Non-Consultancy Services under open or restricted bidding that was issued by PPDA in 2025.

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

BDS	Bid Data Sheet
BEB	Best Evaluated Bidder
CC	Contracts Committee
EC	Evaluation Committee.
eGPS	Electronic Government Procurement System
EMC	Evaluation Methodology and Criteria
ESHS	Environmental, Social, Health and Safety
GCC	General Conditions of the Contract
GOU	Government of Uganda
ICC	International Chamber of Commerce
ISO	International Standards Organization
ITB	Instruction to Bidders.
JV	Joint Venture
NOBEB	Notice of Best Evaluated Bidder
PDE	Procuring and Disposing Entity
PDU	Procurement and Disposal Unit
PPDA	Public Procurement and Disposal of Public Assets Authority
RFP	Request for Proposal
SBD	Standard Bidding Document
SCC	Special Conditions of the Contract
TCS	Technical Compliance Selection
TORs	Terms of Reference

Guidance Notes on the use of the Standard Bidding Document

Purpose of the Standard Bidding Document

The purpose of the Standard Bidding Document (SBD) is to provide the Procuring and Disposing Entities (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 Non-Consultancy Services has been designed to:

- i. Simplify the drafting of a specific bidding document for Procurement of Non-Consultancy Services by the Procurement and Disposal Units (PDUs);
- ii. Minimize the time required by the Contracts Committee (CC) and Solicitor General to approve bidding documents prior to release.
- iii. Reduce bidders' time and effort in the preparation of bids; and
- iv. 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 SBDs contain 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 SBDs.

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 Non-Consultancy Services as a model for preparing an individual bidding document.

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 for bidders (or Financial Institutions) are included in the SBD itself mainly in Sections 4 and 9. 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 summarize:

Notes in Italics in the SBDs are for bidders.

Notes in Bold in the User Guide are for PDEs.

The User Guide is not part of the bidding document and shall not be issued with the bidding document.

When to Use the Standard Bidding Document for Non-Consultancy Services

This SBD for the Procurement of Non-Consultancy Services is suitable for use under Open (International or domestic) and Restricted Bidding (domestic and international) procurement method with or without 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 Bidding Document

The SBD is divided into nine 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:

Part 1:	Bid Notice
Part 2:	Bidding Procedures
Section 1:	Instructions to Bidders (ITB)
Section 2:	Bid Data Sheet (BDS)
Section 3:	Evaluation Methodology and Criteria
Section 4:	Bidding Forms
Section 5:	Eligible Countries
Part 3:	Terms of Reference
Section 6:	Statement of Requirements
Part 4:	Contract
Section 7:	General Conditions of Contract (GCC) for the procurement of Non-Consultancy Services
Section 8:	Special Conditions of Contract (SCC)
Section 9:	Contract Forms.

Customizing Standard Bidding Documents

The PPDA makes SBDs available to all PDEs. On receipt of these SBDs, the PDE is permitted to customize the SBDs 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 SBD 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 drafting documents for individual procurement requirements.

For clarity and the avoidance of doubt-

“Customization” is the process of completing identification details in the standard documentation issued by the Authority to make it suitable for drafting by the PDE;

“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 Bidding Document

It is important that PDEs always use the original customized SBD to commence drafting a new bidding document for each new procurement requirement. Therefore, following customization, **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 1 “Instructions to Bidders” 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 “Bid 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** **“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.
- 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** **“Terms of Reference”** 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 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 Bid Notice.

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

- a. Delete any Section or page breaks;
- b. Make any changes to the headers of the SBD; and
- c. Make any changes to the footers of the SBD.

Guidance Notes on the Cover Page

The Cover Page requires inputs or text changes as illustrated below.

	<p>[Procuring and Disposing Entity Logo] [Name of Procuring and Disposing Entity]</p>
<p>The Republic of Uganda</p>	
<p>[Ensure that the Court of Arms is in the extreme left, upper corner of the page and the Entity logo is in the extreme right of the page]</p>	
<p>Bidding Document for the Procurement of Non-Consultancy Services under Open or Restricted method [delete method not applicable and retain the procurement method to be used]</p>	
<p>Subject of Procurement: <i>The provision of [Insert general description of Non-Consultancy Services required].</i></p>	
<p>Procurement Reference Number: <i>[Insert the Procurement Reference number for this Procurement]</i></p>	
<p>Procurement Method: <i>[Insert Open/Restricted Bidding as appropriate]</i></p>	
<p>Date of Issue: <i>[Insert official release date of the Bidding Document to Providers]</i></p>	

Guidance Notes for the preparation of Bid Notices

Bid Notices

Bid Notices 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 to decide whether to participate in a bidding process. Apart from the essential items listed in the draft below, the Bid Notice should also indicate any important bid evaluation criteria (for example, the application of a margin of preference in bid 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-bid meeting should also be included as appropriate.

The Bid Notice is for publication purposes only and is not a part of the bidding document.

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

Notes for completion of the Bid 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 to decide whether to respond to the invitation. Bidding documents may require bidders 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 or countries, such as Guideline on Reservation Scheme 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 bidding documents.

Paragraph 4.

For example: 09:00am to 12:00pm hours.

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, direct deposit to specified account no., etc.

Paragraph 6.

The amount of bid security should be stated as a fixed amount. Alternatively, if a bid security is not required then the paragraph should so state that a Bid Securing Declaration shall be required. Bid securities can be either a demand bank guarantee or an on demand bid bond.

Paragraph 8

The place for bid opening may not necessarily be the same as that for issuance of documents or for bid 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 bids will be opened. Addresses should not be P.O Boxes where physical submission or collection of a document is required.

Guidance Notes on Section 1: Instructions to Bidders

The Instructions to Bidders (ITB) inform Bidders of the procedures that regulate the bidding process. The ITB contain standard provisions that have been designed to remain unchanged and **to be used without modifying their text**. The ITB 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 Bidders 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: Bid Data Sheet

The Bid Data Sheet (BDS) supplements the ITB by specifying details relevant to an individual bidding document such as its closing date or the value of bid security required.

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

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

The BDS should be prepared by the PDU prior to the issue of the bidding document.

Conventionally the BDS 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 provider, 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 Procuring and Disposing Entity

Section 2: Bid Data Sheet

The following specific data for the Non-Consultancy Services to be procured shall complement, supplement, or amend the provisions in the Instructions to Bidders (ITB). Whenever there is a conflict, the provisions herein shall prevail over those in ITB.

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

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

Instructions to Bidders Reference	Data relevant to the ITB
A. General	
ITB 1.1	The Procuring and Disposing Entity (PDE) is: [insert complete name of PDE] .
ITB 1.1	Subject: The subject of the procurement is: [Insert the title of the procurement or provide a brief description of the services required] .
ITB 1.1	Reference: The Procurement Reference Number is: [Insert the Procurement Reference Number] .
ITB 1.1	<p>Scope of bid: The Procurement Comprises of the following Lots: [PDE to list the Lots and give the description]</p> <p>The minimum and maximum number of lots a bidder may bid for is: Minimum: _____ Maximum: _____</p> <p>[Insert the minimum and maximum number of Lots a bidder may bid for or state if there are no limits e.g ‘all Lots’ or ‘a combination of lots’]</p>
ITB 10.3	<p>Site visit and Pre-bid Meeting: A pre-bid meeting [Insert “shall” or “shall not”] be held.</p> <p>Date:.....[Insert date] Tim.....[Insert time of meeting]</p> <p>Address for Pre-bid meeting:</p> <p>Street Address: [insert street address and number] Floor/ Room number:.....[insert floor and room number, if applicable] Town/district: [insert name of city/district or town] Postal Code: [insert postal code] Country: [insert name of country].</p>

Instructions to Bidders Reference	Data relevant to the ITB
ITB 15.1	<p>Bid Submission Sheet and price schedules: Additional information required in the bid includes: [Insert details of additional information required or state “None”]</p> <p>Examples:</p> <p>Service literature</p> <p>details of the provider’s precise service schedule</p> <p>details of the provider’s local service partner</p> <p>details of the provider’s Quality Assurance system.</p>
ITB 16.1	<p>Alternative bids: Alternative bids [Insert “shall” or “shall not”] be permitted</p>
ITB 17.3	<p>Bid Prices and Discounts: The prices quoted by the bidder [Insert “shall” or “shall not”] be subject to adjustment during the performance of the contract. [Insert shall unless price adjustment is permitted. Insert details of any price adjustment if it is permitted]</p>
ITB 18.3	<p>Currencies of bid and payment: Foreign currency requirements _(shall/shall not) be payable in different foreign currencies.</p>
ITB 21.1	<p>Bid Validity: Validity Period: Bids shall be valid until [Insert day month and year].</p>
ITB 22.1	<p>Bid Security/Bond or Bid Securing Declaration: A Bid Security [Insert “shall” or “shall not”] be required or A Bid Securing Declaration [Insert “shall” or “shall not”] be required</p> <p>[The PDE should note that, if a Bid Security shall be required, then a Bid-Securing Declaration shall not be required, and vice versa.]</p>
ITB 22.2	<p>Bid Security/Bond or Bid Securing Declaration: Where a Bid Security is required, “The amount and currency of the Bid Security shall be [insert the amount in figures] in [Insert currency].”</p>
ITB 22.3	<p>Bid Security/Bond or Bid Securing Declaration: The Bid Security/Bond or Bid Securing Declaration shall be valid until _____/insert day, month year] (Calculated as 28 days beyond the bid validity date above).</p>
ITB 23.1	<p>Format and signing of Bid: In addition to the Original of the bid, the number of copies required is: [Insert number of copies required].</p>
ITB 24	<p>Preference Schemes: Preference scheme... .. [shall/shall not] apply</p>

Instructions to Bidders Reference	Data relevant to the ITB
ITB 25	Reservation Schemes: Reservation scheme... [shall/shall not] apply
ITB 27.1	<p>Deadline for Submission of Bids: For bid 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>Country: [insert name of country]</p> <p>The deadline for proposal submission is:</p> <p>Date:..... [insert date, month and year]</p> <p>Time (local time): [insert time]</p>
ITB 27.1	Deadline for Submission of Bids: Electronic bid submission procedures shall be: (Insert the procedures to be applied)
ITB 30.1	<p>Bid Opening: The bid opening 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>Country: [insert name of country]</p> <p>Date:..... [insert date, month and year]</p> <p>Time (local time): [insert time]</p>
ITB 33	<p>Clarification and changes of bids: For clarification 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>P. O. Box: [insert postal, or P. O. Box No if applicable]</p> <p>Country: [insert name of country]</p> <p>Email Address: [insert email address]</p> <p>PDE</p>

Instructions to Bidders Reference	Data relevant to the ITB
ITB 33.2	Clarification and changes of bids: The PDE will respond to any request for clarification provided that such request is received no later than _____ (insert day/month and year)
ITB 38.1	Currency and Exchange Rate: Quoting in other currencies _____ (shall/shall) not be allowed.
ITB 42.1	Margin of Preference: A margin of preference _____ (shall/shall not) apply. If a margin of preference applies, the application methodology shall be as stated in Section 3 Evaluation Methodology and Criteria.
ITB 42.3	<p>Margin of Preference: The bidder shall submit with its bid the following documents to evidence that they qualify for a margin of preference:</p> <p>[List the documents evidencing qualification for Margin of preference, if applicable such as:]</p> <p>National Identification Card or Passport Trading Licence. Certificate of Incorporation Company Form 20 Proof of manufacturing/assembling plant in Uganda; and Any other document</p>
ITB 50.1	<p>Performance Security/Bond or Performance Securing Declaration and Environmental and Social Performance Security</p> <p><i>[Delete the following if not applicable]</i></p> <p>The successful bidder (shall/SHALL NOT) be required to submit an Environmental and Social (ES) Performance Security.</p> <p><i>[Note: The ES Performance Security shall normally be required where ES risks are significant.]</i></p>

Guidance Notes on Section 3: Evaluation Methodology and Criteria

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

Although the recommended wording is included in the SBD. Certain details need to be inserted by PDEs in line with the value of the potential bids or the complexity of the items to be procured and whether a Margin of Preference is applicable to the procurement.

A. Evaluation Methodology

1. Methodology Used

The preferred evaluation methodology for non-consultancy services is Technical Compliance Selection (TCS) and this is provided in the SBD. The use of any other methodology will require PPDA approval prior to the issue of the bidding document.

2. Summary of Methodology

The summary of the evaluation methodology complies with the PPDA Act and PPDA Regulations and any changes to this will require PPDA prior approval.

Where eligibility has been verified as part of the pre-qualification these can be deleted. The Technical Compliance Selection methodology recommends the lowest priced bid, which is eligible, compliant and substantially responsive to the technical and commercial requirements of the bidding document, provided that the bidder is determined to be qualified to perform the contract satisfactorily. The evaluation shall be conducted in four sequential stages –

- a. A preliminary examination to determine the eligibility of bidders and the administrative compliance of bids received;
- b. A detailed evaluation to determine the commercial and technical responsiveness of the eligible and compliant bids;
- c. A financial comparison to compare costs of the eligible, compliant, responsive bids received and determine the best evaluated bid; and
- d. Post qualification to confirm whether the best evaluated bidder has the capacity and resources to effectively execute the procurement.

B. Preliminary Examination Criteria

3. Eligibility Criteria

The minimum eligibility criteria for all procurement assignments are listed in the ITB of the SBD and referred to in 3.1 as they are standard and must be met by all bidders. The normal documentary requirements to prove eligibility are listed.

4. Administrative Compliance Criteria

The minimum administrative compliance criteria for all procurement assignments are listed in the SBD ITB Clause 36.3 and 36.4 and this is standard and must be met by all bidders. Additional documents may be considered here if so stated in as required in the Bid Data Sheet.

C. Detailed Evaluation Criteria

5. Assessment of Responsiveness

The assessment responsiveness will consider the following criteria:

- a. Acceptance of the conditions of the proposed contract;
- b. Acceptable delivery schedule;
- c. Acceptable Environment Social Management Plan where applicable

6. Technical Evaluation Criteria

- 6.1 Technical responsiveness shall be evaluated in accordance with ITB Clause 37.
- 6.2 The Technical Criteria provides a relatively straight forward evaluation, which would be suitable for most procurement requirements. The evaluation of acceptance of the proposed conditions of contract is important, as an examination of the phrasing of many bids may reveal additional conditions requested by bidders which will need to be analyzed, assessed and a determination made as to their impact on the responsiveness to the invitation.
- 6.3 The Terms of Reference (TOR) detail the minimum technical requirements (which may/may not include specific sustainable Procurement technical requirements). Evaluation of the bidder's Technical Proposal will include an assessment of the bidder's technical capacity to mobilize key equipment and personnel for the contract consistent with its proposal regarding work methods, scheduling, and material sourcing in sufficient detail and fully in accordance with the requirements stipulated in Section 6: Statement of Requirements. The evaluation is conducted on a pass/fail basis. Substantial responsiveness shall be considered a pass.
- 6.4 To qualify for award of the contract, bidders shall meet the following minimum qualifying criteria:
 - a. Annual volume of services of at least the amount specified below;
 - b. Experience as service provider in the provision of at least two service contracts of a nature and complexity equivalent to the Services over the last 5 years (to comply with this requirement, Services contracts cited should be at least 70 percent complete) as specified below;
 - c. Proposals for the timely acquisition (own, lease, hire, etc.) of the essential equipment listed below;
 - d. A contract manager with five years' experience in services of an equivalent nature and volume, including no less than three years as Manager; and
 - e. Liquid assets and/or credit facilities, net of other contractual commitments and exclusive of any payments which may be made under the contract, of no less than the amount specified below.
 - f. A consistent history of litigation or arbitration awards against the Applicant or any member of a JV may result in disqualification.

D. Financial Comparison Criteria

7. Costs to be included

- 7.1 The PDE needs to indicate which costs will form part of the evaluation. Taxes, duties and levies are to be included in the bid price for evaluation. In addition, there is the option to include other costs which the bidder may have been requested to provide.

8. Margin of Preference

- 8.1 The details for insertion into this section will be available from the relevant Procurement Guideline. Where no margin of preference will be applicable insert “No margin of preference shall apply”
- 8.2 It should be noted that a margin of preference cannot be introduced unless permitted by a Procurement Guideline. Recommended wording for Section 3 paragraph 8 will be as stipulated in ITB Clause 42.
- 8.3 Unless otherwise specified in the BDS, reservation and/or preference schemes shall apply. Where the reservation and/or preference scheme applies, its application and detail shall be specified in Section 3, Evaluation Methodology and Criteria (EMC).
- 8.4 For the purpose of using the reservation schemes, bids will be classified in one of the categories specified under the Guideline on Reservation Schemes to promote “local content” and for preference schemes Sections of the PPDA Act, Cap 205 shall be applied.

9. Post Qualification

- 9.1 In this sub-section the PDE shall specify whether post-qualification shall be carried out. The purpose of this sub section is to state the criteria that shall be to post qualify the best evaluated bidder. All these criteria shall be evaluated on a pass–fail basis only. Where a pre-qualification has been conducted or a post-qualification is not considered necessary or appropriate, this should be stated at the beginning of the sub-section with the recommended wording “No post qualification documents are required”. Bidders are required to submit any qualification information required using the Qualification Form in Section 4, Bidding Forms.
- 9.2 No details on post-qualification are included in Section 3 of the standard document, but where post-qualification is required, the following can be added, with appropriate amendments. None of the criteria below are mandatory. The PDE must draft criteria which are appropriate to the proposed contract. Where any of the criteria below are inappropriate, the PDE should state “not applicable” or “none” and state that the bidder is not required to complete the corresponding section of the Qualification Form in Section 4, Bidding Forms.

10. Determination of Best Evaluated Bidder

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

Additional Evaluation Criteria (If applicable)

In addition to the evaluation criteria listed in Section 3, the following criteria may apply for the Procuring and Disposing Entities:

Additional Evaluation Criteria (If applicable)

In addition to the evaluation criteria listed in Section 3: Evaluation Methodology and Criteria 1-7, the following criteria may apply for the Procuring and Disposing Entities:

11. Multiple Contracts

If permitted under additional criteria, will be evaluated as follows:

11.1 Award Criteria for Multiple Contracts:

a. Lots

Bidders have the option to bid for any one or more lots. Bids will be evaluated lot-wise, taking into account discounts offered, if any, after considering all possible combinations of lots, the contract(s) will be awarded to the bidder or bidders offering the lowest evaluated cost to the PDE for combined lots, subject to the selected bidder(s) meeting the required qualification criteria for lot or combination of lots as the case may be. **(To qualify for multiple lots the bidder must meet the requirements for each lot separately. For example, if lot A requires two graders at site 1 and lot B requires two graders at site 2, the bidder must meet the criteria for both Lot A and B separately that is the bidder should have four graders in order to qualify for both Lot A and B).**

Guidance Notes on Section 4: 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 4 of the bidding document, the forms are:

- a. Bid Submission Sheet.
- b. Code of Ethical Conduct in Business for Bidders and Providers.
- c. Price Schedule for Services and Related Supplies.
- d. Form of Bid Security (Bank Guarantees)
- e. Form of Bid-Securing Declaration
- f. Qualification Form.
- g. Beneficial Ownership Form
- h. Form of Security (Bid Bond)

As the bidder (or a financial institution) 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 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 Procuring and Disposing Entity

Section 5 specifies the countries (or regions) from which bidders 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 preclude 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 on Section 6 Statement of Requirements

Input of Information to be completed by Procuring and Disposing Entity

The Statement of Requirements (SORs) should provide sufficient information to enable bidders to understand the services required by the PDE and to therefore be able to accurately prepare bids that are realistic and competitive. **The SORs will form part of the contract.** The PDE must prepare the SORs and include it as a part of the bidding document.

For Non-Consultancy Services, the SOR normally consists of Terms of Reference (TOR) for the assignment. SOR 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 SOR must reflect the requirements of the intended contract.

The SOR should be complete, precise, and clear. Incomplete, imprecise, or unclear SOR may prompt bidders 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 bidding 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 SOR is determined by the individual assignment, but typically should include the following details:

1. The purpose of the assignment and what it is expected to achieve;
2. A description of the scope of the services required;
3. The location or locations for performance of the services;
4. The role, qualifications and experience of any key staff required, such as supervisors;
5. The duration of the contract or expected completion date;
6. The hours of work or hours when the provider will have access to the site, where applicable;
7. 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;
8. Any facilities, services or resources to be provided by the PDE;
9. Any required performance targets or response times e.g. routine repairs must be completed within 3 days;
10. Arrangements for reporting to the PDE, including lines of communication and the contact point for management and administration of the assignment;
11. Any other details or requirements relevant to the assignment.
12. 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:

- 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.

- a. *To determine a bidder's competence, PDEs may ask for information on:*
- b. *The experience in the type of work to be done;*
- c. *Their health and safety policies and practices;*
- d. *Their recent health & safety performance (No. of accidents etc.);*
- e. *The qualifications and skills they have;*

- f. *Their selection procedure for sub-contractors;*
- g. *The health and safety training and supervision they provide;*
- h. *Their arrangements for consulting their workforce;*
- i. *If they have any independent assessment of their competence (ISO Certifications);*
- j. *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;

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 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 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.
16. 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.
- e. 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 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 summarizes all information to be provided.

The SCC will form part of any resulting contract.

Input of Information to be completed by Procuring and Disposing Entity

Section 8 Special Conditions of Contract

The following Special Conditions of Contract (SCC) shall supplement the General Conditions of Contract (GCC). 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 1.1(f)	Eligible Countries: The Eligible Countries are those listed in Section 5 of the bidding document. [This clause should not require any amendment]
GCC 3.1(f)	Contract Documents: The other documents forming part of the contract are: [insert any other documents]
GCC 5.1	Commencement: The Period within which Services shall have commenced following the date of the Agreement is: [insert period permitted to commence the services]
GCC 6.1	Completion: The Services shall be completed by/shall be performed for a period of: [delete that which is not applicable and insert length of time permitted to complete the services or period of the contract]
GCC 7.1	Language: The language of the contract shall be English [or insert alternative language where approved]
GCC 10.1	<p>Notices</p> <p>For notices, the PDE’s address shall be:</p> <p>Attention: 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] PO Box: [insert postal code, if applicable] Country: [insert name of country] Telephone: [insert telephone number, country and city codes] Email address: [email address, if applicable]</p> <p>For notices, the provider’s address shall be:</p> <p>Attention: 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] PO Box: [insert postal code, if applicable] Country: [insert name of country] Telephone: [insert telephone number, country and city codes] Email address: [email address, if applicable]</p>

GCC clause reference	Special Conditions of Contract
GCC 11	Law: The Governing Law shall be the Law of Uganda. [or insert alternative governing law where approved]
GCC 12.1	Procedure for Settlement of Dispute: The Dispute settlement shall be [insert preferred method of dispute resolution]
GCC 17.1	Insurance taken out by provider: 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 risks to be covered for each category or state if not required, seek professional advice if required]
GCC 21.1	Liquidated Damages: Liquidated Damages [insert “shall” or “shall not”] apply. [liquidated damages should only be applied where appropriate i.e. where there is defined completion date. Services which are performed for a set period of time, such as cleaning or security services for a year, should not be subject to liquidated damages] The liquidated damage shall be: [insert percentage 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 31.4(b)	The PDE’s prior approval: The PDE’s prior approval is also required for: [list other events that will require PDE’s prior approval or state ‘none’ e.g. change the supervisor]
GCC 32.2	Excluded costs: The following costs are excluded from the contract price: [state any costs which are excluded from the contract price, such as the cost of parts under a contract for vehicle repair services. Also state the manner in which such costs will be paid e.g. ‘The cost of spare parts and materials used in performance of the services shall be paid following submission of an invoice detailing the costs involved’]. This type of clause should only be used where the cost of incidental supplies is unknown and cannot reasonably be included by the bidder in his prices. Materials for services such as cleaning should normally be included by the bidder in his prices, as they can be predicted and do not vary, but are used at a steady rate]
GCC 32.3	Payment Schedule: The payment schedule shall be: [insert details of the payment schedule e.g. “The contract price will be paid in 12 equal monthly instalments, following submission of an invoice and all supporting documentation]

GCC clause reference	Special Conditions of Contract
GCC 33.2	Documentation for Payment: The following documentation shall be required to support invoices requesting payments: [list any documentation to effect payment or state “none” e.g. “(a) evidence of the cost of incidental supplies”]
GCC 36	Working hours: The working hours for the provider shall be: [insert working hours e.g. Monday to Friday, 08:00 to 17:00 hours. The PDE must take care to ensure that these hours coincide with access to the PDE’s premises, where access is required for performance of the services]
GCC 38.1	Performance Security/Bond: A Performance Security/Bond [insert “shall” or “shall not”] _____ be required. The amount and currency of the Performance Security/Bond is: [insert currency and amount required]
GCC 38.3	Form of Performance Security: The forms of acceptable Performance Security are: [list other forms of acceptable Performance Security or state “none”]
GCC 38.4	Discharge of Performance Security: The Performance Security shall be discharged: [state how Performance Security will be discharged if different from GCC or state “as in the GCC”]

Guidance Notes on Section 9: Contract Forms

Section 9 of the bidding document contains forms for the Agreement and the Performance Security. 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 corrections of errors, 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 bidder 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 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 or financial institution 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 Security form is not included in this User Guide.

[No Input of Information required for inclusion in bidding 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 acceptable to the PDE.

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/Bond

The Advance Payment Security/Bond 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/Bond 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