



BUREAU OF PUBLIC PROCUREMENT AND PUBLIC PRIVATE
PARTNERSHIP

ZAMFARA STATE

COVID-19 PROCUREMENT GUIDELINES

2020

**GUIDELINE ON THE CONDUCT OF PUBLIC PROCUREMENT
ACTIVITIES BY MINISTRIES, DEPARTMENTS AND AGENCIES
DURING COVID-19 PERIOD AND OTHER RELATED EMERGENCIES
IN ZAMFARA STATE**

WHEREAS; by reason of Corona Virus pandemic (known as Covid-19), global socio-economic activities including procurement of goods and services by ministries, departments and agencies in Zamfara State has been adversely affected leading to short fall in revenues required to fully implement the 2020 Appropriation Law as well government programme and projects;

WHEREAS; the Small and Medium Enterprises Development Agency of Nigeria has issued a national guideline for implementation by all the states in the country with a view to address the challenges facing procurement activities and factors militating against the participation in bids for contracts and winning of contract by Small and Medium Enterprises especially during Covid-19 period;

WHEREAS; Zamfara State Bureau of Public Procurement mindful of its oversight responsibilities by virtue of Section 5(g) of the Zamfara State Public Procurement Law 2020 (as amended), Consider it expedient to adopt measures that would ensure effective conduct of procurement activities in the state and participation as well as winning of contracts by Small and medium Enterprises during Covid-19 period to be treated as emergency;

AND WHEREAS it has become necessary for all procuring entities that will participate in procurement activities during Covid-19 period and other related emergencies to follow procedures that will ensure effective provisions of procurement service, the following Guidelines is hereby issued for implementation by all procuring entities in Zamfara State of Nigeria.

NOWTHEREFORE:

PART A

1. Applicability

These procurement Guidelines shall, save to the extent or as may otherwise be directed by the Bureau, apply to all procurements related activities during Covid-19 period and other related emergencies in the State.

2. Safety Measures

These guidelines are specifically on procurement related activities and not on health specific guidance, but the guidelines on Corona virus, popularly known as covid-19, issued by the Federal Ministry of Health and the National Centre for Disease Control shall be strictly observed by all procuring entities in the State.

PREPARATION OF EMERGENCY PROCUREMENT PLANS

3.0 All procuring entities are required to prepare their procurement plans for all projects that specifically respond to the Covid-19 period which shall be up-loaded into the Bureau's website.

3.1 Any project that is not included in the procurement plan of the procuring entity shall not be processed for payment notwithstanding the source of funding for the project.

3.2 In preparing the Covid-19 and other emergencies procurement plan, procuring entities should ensure that no reduction of values or splitting of procurement is carried out such as to evade the use of appropriate procurement method or thresholds.

PROCUREMENT IMPLEMENTATION

4 The provisions relevant to the procedure for implementation of emergency procurement as provided by the Bureau's establishment law, shall be adopted when handling procurements under emergency situations like the Covid-19 period and it is the responsibility of the procuring entity to identify such procurements.

- 4.1 A due process Certificate of “No objection” may not be required prior to embarking on an emergency procurement or procurement activities during Covid-19 period provided that the Bureau has, in writing, approved the procedure adopted by the procuring entity.
- 4.2 The procuring entities have the responsibility to ensure that the contractor to be engaged to carry out any emergency work, possesses the requisite technical and financial capacities to undertake the project in addition to its responsibility in ensuring that the procurement is handled with expedition along the principles of accountability, transparency and value for money.

REQUEST FOR BIDS/QUOTATIONS

- 5.0 For limited bidding and direct contracting procuring entities shall identify firms and persons that possess the requisite technical and financial capacities to carry out the procurement.
- 5.1 Bids/Quotations can be sent by email and the email address for submission shall be stated in the request for bids/quotation.
- 5.2 Bidders can also download the bidding documents/request for quotation from the Bureau’s website which must allow for free access.

SUBMISSION OF BIDS/QUOTATIONS

- 6.0 Procuring entities must also consider the extension of bid submission deadline if bid/quotation submission is impacted by the emergency situation.
- 6.1 Bidders can submit bids/quotations as attachments to email which must be read only by means of a protected password.
- 6.2 Procuring entities must, after receipt of bids/quotation documents, acknowledge receipt of same via an email.

BIDS/QUOTATIONS OPENING

- 7.0 Bids/Quotations shall be opened electronically only after the submission deadline provided that within one hour after the submission deadline, bidders have sent passwords in respect of their respective bids.

- 7.1 Bid/Quotation opening records must be sent to all bidders who have submitted their bids/quotation documents immediately after bid opening via their respective emails.
- 7.2 Bid Registers, Bid Return Sheets and other relevant documents in relation to the procurement activities shall be kept by the procuring entity as part of the bid opening records.
- 7.3 Procuring entities are encouraged to make use of video recording of the bid/quotation opening.
- 7.4 Where applicable, bid submission and bid opening can be processed through the secured e-procurement system.
- 7.5 Pre-bid meeting if included in the bidding documents, shall be held virtually provided that connection details have been forwarded to all the firms and persons that have obtained the bidding document and have been given sufficient advance notice to enable them plan for their attendance.
- 7.6 Bidders who intend to attend the pre-bid meeting, can contact procuring entities by email and request for connection details.

8.0 BID SECURITY

Procuring entities are advised to request for Bid Security Declaration instead of bid security for small procurement packages as a means for ensuring the participation and winning of contract awards by small and medium enterprises and even in large procurement package where it is extremely necessary.

9.0 SUBMISSION OF ORIGINAL DOCUMENTS

A clause, in the procurement document, in the form of a language stating that copies of documents such as Bid Submission Forms, Bid Security Declaration, Power of Attorney, Manufacturers Authorization, etc., submitted electronically or secured through e-procurement system, will be treated as if they are originals during the Covid-19 period and other emergency procurement.

9.0 BIDS/QUOTATIONS EVALUATIONS

Bids/Quotations evaluation can be carried out electronically by the members of the Evaluation Committee.

- 9.1 The evaluation of procurement of goods, works and non consulting services can be conducted virtually.

CONTRACT AWARD

10. The details of all contracts awarded during the Covid-19 period and other emergency procurement shall be forwarded to the Bureau not later than 10 (ten) days after the award has been made.
- 10.1 The detailed information of the contract awarded by the procuring entity shall be transmitted to the Bureau's official email address, signed by the Accounting Officer of the procuring entity.
- 10.2 The hard copy of the transmitted information of the contract awarded shall be forwarded to the Bureau after the Covid-19 period.
- 10.3 The details referred in the forgoing paragraph shall include the name of the contractor, description of the project, contract sum and duration of the contract.

PUBLICATION

- 11.0 The requirement of advertising of public procurement activities by means of publication in National Dailies of wide circulation in addition to the publication on the Bureau's website during Covid-19 period, may not be necessary as publication on the Bureau's website alone and the Notice Board of the procuring entity is enough during Covid-19 period and emergency procurement.
- 11.1 The Bureau shall, on quarterly basis publish on its website, the details of all contracts awarded during Covid-19 period and emergency procurement.

CONTRACTS SIGNING

- 12.0 Contracts can be executed at a meeting of both representative during which distancing shall be observed depending on the restriction on movement protocol.
- 12.1 In the alternative copy of PDF contract with the latest Adobe Acrobat reader (<https://get.adobe.com/reader/otherversions/>) with an option to "Signature and Initial", could be signed and

initialed by both parties and sent by email provided that the final signed contract document must be printed, scanned and shared with the Bidder by email or the duplicate copies of the contract document are signed by the parties simultaneously and pdf copies exchanged by email. The process is as follows:

1. On finalizing the contract each party prints a copy and signs according to their procedural requirements.
2. Each party scans the signed contract and emails as a pdf to the other party.
3. On receipt of the email, each party downloads the contract, prints a hard copy and signs.
4. Each party then scans the contract (now signed by both parties) and sends as pdf to the other party.

12.2 An exchange of emails with properly executed pdf contracts is evidence of contract execution.

CONTRACT IMPLEMENTATION

13.0 All contracts awarded shall be implemented in accordance with the contract technical specifications as contained in the contract documents.

13.1 Activities within the contract that are not affected by restrictions on movement or physical gathering of people as a result of Covid-19 pandemic shall continue.

14.0 FORCE MAJEURE

14.1 If during the progress of the work Nigeria shall become involved in hostilities; or war like operation with any foreign nation; or in domestic riot; or insurrection; or my other circumstances which will either directly or indirectly involved either party in loss or expense beyond those provided for or reasonably contemplated by the Contract may be determined by either party by giving to the other party 30 days notice in writing and SME to whom the contract was awarded, shall be paid by the procuring entity in respect of the work executed before such determination in accordance with the provision of the contract, provided; always that the parties hereto in the event of the said hostilities may at

any time by agreement in writing between them make such further or other arrangements as they think fit to make in the circumstances.

Interpretation:

In this guideline the following unless the context otherwise requires means:

“COVID 19 Period: The period from when the World Health Organization (W.H.O) declare SARS “2” 2019 otherwise known as Corona virus COVID 19 as pandemic till subsequent declare of the end of pandemic.

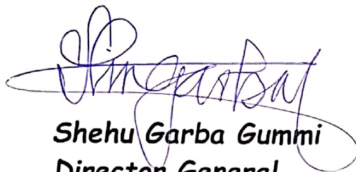
“E-Procurement: Procurement done using digital, automated, and electronic processes and procedure including software, applications and other devices.

“COVID 19 Emergency Procurement”: Procurement of goods and services undertaken during Covid 19 period only.

COMMENCEMENT AND TITLE

14. These guidelines shall be cited as Covid-19 Period Procurement Guideline and shall come into effect 25th day of September 2020

Dated This 4th Day of September 2020



Shehu Garba Gummi
Director General
Bureau for Public Procurement
Zamfara state