

University of Port Harcourt
World Bank Africa Centre of Excellence
Centre for Public Health and Toxicological Research



ACE-PUTOR, UNIPORT

PROCUREMENT MANUAL

1) PREAMBLE

The University of Port Harcourt, Nigeria is a body corporate established by the University of Port Harcourt Act of 1978 Cap U 13 Laws of the Federal Republic of Nigeria as a public tertiary institution and owned by the Federal Government of Nigeria. Thus, as a public entity, the University does procurement based on the Principles of the Bureau of Public Procurement (BPP) in line with the provisos of the World Bank (www.bpp.gov.ng). The Federal Government of Nigeria (FGN) in consultation with some international development partners such as the World Bank created the Bureau of Public Procurement (BPP) in 2007 following the passage of the Public Procurement Act of 2007. The BPP is charged with the responsibility to monitor and regulate procurement practice in Nigeria.

Following the successful internalization of the Public Procurement Act 2007, in line with the Entrepreneurial drive of the present administration at the University of Port Harcourt, a Procurement Unit was created in 2013 headed by a seasoned Procurement Officer. And since the creation of the Procurement Unit, the University has improved its procurement practice by adhering, strictly, to the letters of the Public Procurement Act 2007 and the Public Procurement (Amendment) Act of 2016.

Thus, contracts with third parties are handled in an all-time efficient manner, cost saving and deliver goods/materials/works/services to user department(s) in safe conditions. As a result, all expenditures are guided and approved by the Vice Chancellor under due process and this has returned positive results.

2) OUR PROCUREMENT PROCEDURE

Generally, the procurement procedure in the University of Port Harcourt follows the nine essential steps in public procurement and these are:

Step	Description
1	Ensuring that the procurement plan for any project is driven by needs assessment
2	Identified needs for goods/works/services, receive adequate funds appropriation to ensure efficient service delivery and minimize payment delays
3	Identified goods/works/services with their specifications advertised in, at least, two national dailies, the Federal Tenders journal, and the website
4	Ensure a transparent pre-qualification and tender exercise
5	Timeline given to interested Service Providers (Vendors) within which bid submissions and openings shall be conducted in an open and transparent manner
6	Opened bids evaluated both for technical and financial feasibilities in the presence of the Tenders Board, and the Service Providers (Vendors)
7	Approval from the Tender Board and/or Governing Board

8	Contract awarded to the Service Provider (Vender) adjudged most suitable and commencement of execution
9	Project implementation by Service Provider (Vendor)

All financial transactions in the Centre are approved by the Vice Chancellor after undergoing the required due processes. In line with the procurement act, all procurements for works, goods and services shall be conducted through open competitive bidding and no procurement proceedings shall be formalized until the the required funds are available to meet the obligations. The winning bidding during all bid review process shall be the lowest evaluated responsive bid. The Centre Leader who is accountable for the project shall shall have overall responsibility for the planning of, organization of tenders, evaluation of tenders and execution of all procurements and in particular shall be responsible for ensuring compliance with the provisions of the procurement acts. Some specific procedures adopted by ACE-PUTOR for procurement of goods/works/services are outlined below under two broad headings namely: cash purchases, and supply/contract.

A. CASH PURCHASES

1. Requisition – by the User Unit (ACE-PUTOR)
2. Estimate for items requested/material specifications – Technical Unit/User Unit
3. Centre Leader’s recommendation to Vice Chancellor for Approval
4. Vice Chancellor sends request to Director, Internal Audit for vetting
5. Vetting of estimate by UniPort Internal Control/Recommendation
6. Requisition approval – Vice Chancellor
7. Purchases
8. Receiving/verification – User Unit/PUTOR Internal Control
9. Retirement of cash advanced/submission of purchase receipts

B. SUPPLY/CONTRACT

1. Job/material requisition
2. Job/material specification – Technical Unit/User Unit.
3. Cost Estimate – User Unit/Accounts Unit
4. Call for/collection of quotation from vendors by procurement officer depending on the prescribed method of procurement
5. Comparison/vetting of quotations – University tender Board including the centre’s procurement officer, M&E, PUTOR Internal control (Accounts/Requester)
6. Recommendation of a vendor/price
7. Technical Committee meet to approve vendor/prices
8. Technical committee report sent to Centre Leader, debrief losers, resolve complaints
9. Centre Leader’s recommendation to Vice Chancellor for Approval
10. Approval for award of contract– Vice Chancellor
11. LPO (Award Letter)
12. Receiving/Verification – by Technical Unit/User Unit
13. Inspection/Certification - PUTOR Accounts/IA Uniport
14. Completion certificate/Payment

N/B: For Internal control:

- There should be Internal Control pricing value with approved mark up
- Maximum amount of cash purchases to be ₦20,000.00 i.e. section A

- Requesting Unit/Accounts Unit to verify items delivered before IA Uniport
- There should be approved vendors
- Items to be supplied by approved vendors and verified by Technical Unit/User
- Tender Committee to be made up of (Accounts, Technical, Admin. Sec. and headed by Assistant Director)

3) CURRENT APPROVAL THRESHOLDS

Shall be as contained in the National Public Procurement Act (www.bpp.gov.ng).

4) EXISTING BEAUROCRATIC CHALLENGES AND MITIGATION STRATEGIES

(Budget Implementation Process)

S/№	Bureaucratic Challenges	Mitigation Strategies
1	Ignorance about the relevant laws, regulations and guidelines	Copies of Procurement Act 2007 and relevant BPP documents for officers
2	Delays in obtaining approvals for the various stages of procurement process	Work within timelines and whistle blow on Procurement matters for attention
3	Delays in processing payments	Electronic payments within 2 weeks
4	Challenges in documentation	Circulate copies of Procurement Plan
5	Delays in processing memos	Two weeks target for treating all memos

5) CODE OF CONDUCT FOR ACE-PUTOR OFFICERS INVOLVED WITH PROCUREMENT

The Procurement Officer and all other officers involved in the procurement process of ACE-PUTOR must be governed by the principles of Honesty, Accountability, Transparency, Fairness, and Equity and subscribe to an oath to this effect.

Specifically, we shall perform our procurement duties in strict compliance with the following Code of Conduct and shall:

- (a) Always wear our identity cards while executing our functions.
- (b) Comply with lawful directives by leader of the Tenders Board or a representative.
- (c) Not grant press interviews or comments on any procurement proceedings; approval.
- (d) Not wear any apparel which reflects affiliation with a Bidder or Service Provider (Vendor) or in any way canvass for one to win the procurement proceedings.
- (e) Not participate in any function or activity that could lead to the perception of being favourably disposed to a Bidder or Service Provider (Vendor).
- (f) Not accept any gift, offer of employment, favour or benefit, item or service from any Bidder or Service Provider (Vendor) involved in the procurement proceedings.
- (g) Display strict impartiality in discharging our duties in the procurement proceedings and at no time indicate or express any statement capable of public incitement.
- (h) Desist from doing anything to comprise the integrity of procurement proceedings.
- (i) Decline in serving in a procurement process if any of the Bidders or Service Providers (Vendors) is a blood relative or spouse or grant relationship or where the success of such Bidder or Service Provider (Vendor) will confer pecuniary or other advantages.
- (j) Not create a source of personal or organizational revenue or advantage by inordinately using public knowledge, which comes in the course of duty.
- (k) Take reasonable steps to be factual and substantiate information to be used in the procurement report.

Breach of this Code of Ethics may amount to violation of Public Procurement Act 2007.

6) ADVERTISEMENT PROCEDURE

Advertising the contract in the Federal Tenders Journal, ACE-PUTOR website, Uniport website and, at least, TWO national dailies.

7) CONFLICT OF INTEREST POLICY

It is not permissible for an officer or member of staff of the issuing unit/centre to tender or bid for such a contract emanating from the issuing unit or department.

8) PROCEDURE FOR TENDERING AND BIDDING

S/N ₂	Action	Timeline	Beginning of Timeline
1	Procurement planning	2 months	From the date of release of Budget
2	Response to requests for clarifications	2 weeks	From the date of request
3	Submission of memos	2 weeks	From the date of issuance of “No Objection” Certificate
4	Award of Contracts	5 months	From the date of release of Budget
5	Payment of contractors	2 weeks	From the date of approval of payment

9) COMPLAINTS PROCEDURE AND SETTLEMENT OF CONTRACTUAL DISPUTES

Step	Description
1	Make a written complaint to the Procurement Officer within 15 working days from when aware of the breach or omission
2	Procurement Officer reviews complaint and communicates decision on the matter to the complainant within 15 working days giving reasons for decision and proffer corrective measures to be taken, where necessary
3	If the Procurement Officer fails to decide within the given period or the complainant is not satisfied with the decision, the contractual dispute(s) shall be resolved through dialogue between ACE-PUTOR and the bidder/Service Provider within 10 working days.
4	Where that fails, the legal units of both parties shall engage in consultations to resolve such dispute(s) within 10 working days.
5	But, where both attempts fail, an Independent Arbitration Panel made of three persons comprising one each, independently, appointed by ACE-PUTOR and the bidder/Service Provider, and a third person mutually acceptable to both appointees of disputing parties shall deliberate on the matter and make a decision within 15 working days.
6	If the Independent Arbitration Panel fails to make a decision within the given period or the complainant is not satisfied with the decision, the complainant can forward his complaint to the BPP within 15 working days from the date that decision was communicated to the bidder, the complainant shall communicate to the BPP
7	Upon receipt of the complaint, the BPP notifies ACE-PUTOR and may suspend any further action by ACE-PUTOR until the matter is settled
8	Unless the BPP dismisses the complaint, it shall further: <ul style="list-style-type: none">• Prohibit the ACE-PUTOR from taking further action;• Nullify part or all the lawful act or decision of ACE-PUTOR;• Declare or make known the rules and principles governing the subject matter of the

	complaint; <ul style="list-style-type: none"> Reverse any improper decision by ACE-PUTOR or substitute its own decision for the improper one.
9	The BPP shall notify all interested bidders of complaint before taking any decision on the matter and may consider representations from bidders and ACE-PUTOR
10	The BPP shall make its own decision within 21 working days after receiving the complaint and shall give the reasons for its decision and the remedies granted, if any
11	If the BPP fails to make its decision within the given time or if the complainant is not satisfied with the BPP's decision, the complainant may appeal to the Federal High court within 30 days after receipt of the BPP's decision or the expiration of the time specified for the BPP to make decision.
12	The decision of the Federal high Court shall be final on the matter and no further appeals shall lie.

10) PROCEDURE FOR PROCUREMENT AUDIT

Procurement shall be audited within 30 days of completing transactions.

11) UNIVERSITY OF PORT HARCOURT PROCUREMENT DOCUMENTS

- Oath of Allegiance for ACE-PUTOR Officers Involved with Procurement

**OATH OF ALLEGIANCE FOR ACE-PUTOR OFFICERS INVOLVED WITH
PROCUREMENT**

I do, solemnly, swear/affirm that I will in the discharge of my duties be governed at all times by the principles of honesty, accountability, transparency, fairness and equity. I will use the best of my abilities and endeavours to discharge my responsibilities in a way and manner that promotes the objectives of the Public Procurement Act 2007, and policies and regulations made there under the Constitution of the Federal Republic of Nigeria 1999 and other laws in that regard, that I shall not take advantage of any information that comes to me for any personal gain or extort money or blackmail a party/bidder of the procurement proceedings.

So, help me God.

Name: -----

Designation: -----

Agency: -----

Signature: -----

Date: -----