

**BUREAU OF PUBLIC PROCUREMENT AND DUE PROCESS; A PAPER PRESENTATION BY THE DIRECTOR GENERAL (DG), ADAMAWA STATE BUREAU OF PUBLIC PROCUREMENT (ADSBPP), ABBA B. UMAR AT A TWO DAY RETREAT ORGANIZED BY THE OFFICE OF THE SECRETARY TO THE STATE GOVERNMENT FOR THE NEWLY APPOINTED COMMISSIONERS OF ADAMAWA STATE**

**INTRODUCTION**

It is my singular honour and privilege to be invited to make a presentation on this very important topic; Bureau of Public Procurement and Due Process at this auspicious Retreat for newly appointed Cabinet members of Adamawa State. I find this invitation as a privilege, and a rear opportunity to speak and share the ideals of Procurement and Due Process with such an honourable gathering of people saddled with the responsibility of deciding and shaping the future of our dear State and its populace. Given my position as the DG of the State Bureau of Public Procurement, I am obliged to share our experiences for better appraisal of the duties of the Bureau and the roles expected of us as agents of CHANGE in our State.

**WHAT IS PROCUREMENT/AND ITS IMPORTANCE**

For us to appreciate what we are talking about there is the need to understand what Procurement is all about. By simple definition, procurement means the acquisition of Works, Goods and Services from an external source. It is favourable that works, goods and services are appropriated and that they are procured at the best possible cost to meet the needs of the acquirer in terms of quality, quantity, time and location. In other word, Public Procurement can be understood as the process by which Government buy inputs for vital Public-Sector Investments. Those investments, both in physical infrastructure and in strengthening Institutional and human capacities, lay foundation for State and National development. In procurement terms, those inputs are generally grouped in to three categories; Civil Works .eg. bridges, buildings, highways and basic physical infrastructure; Goods .i.e. equipment, material supplies, commodities, textbooks, medical supplies and; Services:- both consultancy services that provide expert advice and training, as well as those involving physical job performance by contracted labourers, such as building maintenance, cleaning, guarding etc. All of these put together you will agree with me constitute 70% - 80% of the growth of every State or Nation. Therefore, procurement by this inputs require legal framework, regulations, procedures and above all an institutions to regulate their procurement in various Ministries, Department and Agencies in the State.

Through good procurement system it will ensure the attainment of transparency, competitiveness, cost effectiveness and professionalism in the Government System, it will also check excesses of our procurement entities (MDAs), the State stand to gain greatly by implementing the procurement law to its logical conclusion, however, our State become trusted business and investment destination, and it is also a catalyst for growth, good and well sound procurement procedures and processes to ensure structure progressive multi-year development that makes social progress acceptable and predictable for sustainable development.

It is unfortunate that this process in Adamawa State few years back was breached. It was subjected to flagrant abuses and ethical violation, given raise to fraud, misappropriation and other forms of procurement corruption. Procurement corruption is the “abuse of Public Office for private gain”. Corruption in the chain of procurement is therefore the offering, giving, receiving or soliciting directly or indirectly of anything of value to influence the action of Public Officials in the procurement processes or in contract execution. Fraud in the chain of procurement is a misrepresentation or omission of facts in order to influence the procurement processes for executing of a contract and it include collusion among bidders.

### **ESTABLISHMENT OF BUREAU OF PUBLIC PROCUREMENT**

In its desire to fast tract development, ensure value for money, curb wastages of public funds, promote transparency, accountability and competitiveness in the procurement process of government, the Adamawa State Government on the 20<sup>th</sup> January, 2014 established the State Board on Public Procurement and the Bureau of Public Procurement as Regulatory Authorities, responsible for the monitoring and overseen of public procurement, harmonizing the existing Government policies and practices; liaising with Federal counterpart bodies by setting standards and developing the Legal Framework and professional capacity for public procurement in Adamawa State and related matters. The constituted Board on Public Procurement, in line with the State Procurement Law of 2013 is the apex authority of the Bureau with its Chairman and seven (7) other members, the Director General as the Secretary of the Board, the Anthony General Commissioner of Justice in the State is among the Seven (7) Board members who is represented by the Solicitor General/Permanent Secretary Ministry of Justice in the Board meeting.

The Board’s function is to formulate policies, approve and amend the monitory and prior review thresholds for application of the Law by the procuring entities, on Public Procurement and approve the appointment of principal officers of the Bureau as well as receive and consider, for approval, the audited accounts of the Bureau of Public Procurement. The Board is also required to approve changes in the procurement process to adapt any improvements in modern technology among others.

The Public Procurement Law No. 7 of Adamawa State 2013 is divided into 13 parts and 60 sections, but for the purpose of this important gathering I would like to give emphasis on Sections 6,7,8,17 and 18, which deal with the objectives, power, scope of application and the fundamental principles for procurement respectively;

### **OBJECTIVE OF THE BUREAU**

The Procurement Bureau of the State was established with four (4) major cardinal objectives which include the following:

- 1) To harmonize existing government policies and practices on public procurement and ensuring probity, accountability and transparency in the procurement process.
- 2) To establish pricing standards and benchmarks.
- 3) Ensure the application for fair competitive, transparent, value- for- money standard and practices for the procurement and disposal of public assets and services.
- 4) The attainment of transparency, accountability, competitiveness, fairness cost effectiveness and professionalism in the government system.

### **FUNCTIONS OF THE BUREAU**

In achieving the above main objectives, the Board's function is to enforce the application of the law to its logical conclusion in the entire State, and the Bureau of Public Procurement's functions therefore involved the following:

- 1) Formulate the general policies and guidelines relating to public sector procurement for approval by the Board, publicize and explain the provisions of this law.
- 2) Subject to the thresholds as may be set by the Board; Certify State Procurement prior to the award of contract.
- 3) Supervise the implementation of established procurement policies.
- 4) Monitor the prices of tendered items and keep a data base of standard prices.
- 5) Maintain a database of the particulars and classification and categorization of State Contractors and Service Providers.
- 6) Collate and maintain in an archival system, of all State Procurement plans and information.
- 7) Organize training and development programme for procurement professionals.
- 8) Periodically review the socio-economic effect of the policies on procurement and advise the Board accordingly.
- 9) Prepare and update standard bidding and contract documents.
- 10) Prevent fraudulent and unfair procurement and where necessary apply administrative sanctions.
- 11) Review the procurement and award of contract procedures of every entity to which this Law applies.
- 12) Appoint external Auditors to perform procurement audits and submit such report to the State Auditor- General bi- annually.
- 13) Coordinate relevant training programs to build institutional capacity and;
- 14) Provide and maintain a fully functional unit for receiving and addressing procurement process complaints and their timely resolution, data on such resolutions shall be accessible to the House of Assembly and the public for scrutiny.

## **POWER OF THE BUREAU**

SECTION 8(1) of the Law states that the Bureau shall have the mandate to:

- 1) Enforce the monetary and prior review thresholds set by the Board for the application of the provisions of this law by the procuring entities.
- 2) Subject to paragraph (a) of this section, issue Certificate of "No Objection" for contract award within the prior review threshold for all procurements within the purview of this Law.
- 3) From time to time stipulate to all procuring entities, the procedure and documentations pre-requisite for issuance of certificate of "No Objection" under this law.
- 4) Where a reason exist;
  - a) Cause to be inspected or reviewed any procurement transaction to ensure compliance with the provisions of this Law.
  - b) Review and determine whether any procuring entity has violated any provision of this Law.
- 5) Debar any supplier, contractor or service provider that contravenes any provision of this Law and regulations made pursuant to this Law.
- 6) Maintain a database of State contractors and service providers and to the exclusion of all procuring entities, prescribe classifications and categorizations for the companies or business enterprises on the register.
- 7) Maintain a list of Firm and persons that have been debarred from participating in public procurement activity and publish them in the procurement journal.
- 8) Call for such information, documents, records and reports in respect of any procurement proceedings where a breach, wrong doing, default, mismanagement and/ or collusion has been alleged, reported or proved against a procuring entity or service provider.
- 9) Recommend to the Board , where there are persistent or serious breaches of this Law, regulations or guidelines made under this Law for;
  - a) The suspension of officers concerned with the procurement or disposal proceeding in issue.
  - b) The replacement of the head or any of the members of the procuring or disposal unit of any entity or the Chairman or Chairperson of Tenders Board as the case may be.
  - c) Discipline of the Accounting Officer of any procuring entity.
  - d) The temporary transfer of the procuring and disposal functions of a procuring and disposal entity to a third procurement agency or consultant.
  - e) Any other sanction that the Bureau may consider appropriate.

Similarly, part of the Bureau's power includes the following:

- a) Enter into contract or partnership with any company, firm or person which in its opinion will facilitate the discharge of its functions.

- b) Request for and obtain from any procurement entity information including report, memoranda and audited accounts, tax clearance certificate and other information relevant to its functions under this Law and
- c) Liaise with relevant bodies or institutions national and international for effective performance of its functions under this Law.

### **Scope of Application**

The Public Procurement Law of 2013 did not live any stone un-turned. By this, the law covers all aspects of State and Local Government procurements and the Scope of applications among other things include the following:

1. The provisions of this Law shall apply to all procurements of goods, works and services carried out by:
  - a. The government of Adamawa State and all procurement entities;
  - b. All entities outside the foregoing description which derive at least 35% of the funds appropriated or proposed to be appropriated for any type of procurement described in this law from the State Consolidated Revenue Fund; and
  - c. Public procurement by Local Government in the State the value of which exceeds a sum which the Bureau may stipulate at the commencement of the financial year of the State.
2. The provisions of this law shall not only apply to the procurement of special goods, works and services, involving State Security (as may be designated by the Governor of the State by an instrument, under his hand) unless the Governor's express approval has been first sought and obtained.
3. The provisions of the Law shall not apply to any public procurement which the State Government and the Federal Government and the donor assisted programmes funds are jointly executing provided however that this law shall apply to any public procurement solely executed by the State Government in respect of which a reimbursement may be claimed from the Federal Government.

### **Fundamental Principles for Procurement as a Due Process Mechanism Requirement Needs.**

Having said much on this subject matter, it is necessary to note that subject to any exemption allowed by this Law, all public procurement shall be conducted.

1) a. Subject to the prior review threshold as may from time to time be set by the Bureau pursuant to Section 8(1) (a & b) of this law. The new applicable thresholds set by the Bureau are shown below:

The Applicable Thresholds for and composition of Tenders Boards are as follows:-

#### **State Level:**

- |                              |   |                               |
|------------------------------|---|-------------------------------|
| 1. Permanent Secretary       | - | From N1,000,000 - N3,000,000  |
| 2. Ministerial Tenders Board | - | From N3,000,000 - N50,000,000 |

3. State Executive Council - From 50,000,000 and above

**Local Govt. Level:**

1. Chairman - Not to exceed N1,000,000  
 2. F&GPC - From N1,000,000 - N3,000,000.00  
 3. Min. for Local Govt. Affairs - From N3,000,000.00 and above

(a) Procurement Approval Thresholds for the Bureau of Public Procurement, Tenders Boards and Accounting Officers (PSs and CEOs) for All Ministries, Departments and Agencies for Goods, Works and Consultancy Services are detailed in the table below:

| <b>Approving Authority/ "No Objection" to award</b> | <b>Goods</b>                                     | <b>Works</b>                           | <b>Non-Consultant</b>                            | <b>Consultant Services</b>                       |
|---|--|--|--|--|
| BPP issues "No Objection" to award/ SEC approves    | N50 million and above                            | N60 million and above                  | N20 million and above                            | N20 million and above                            |
| Ministerial Tenders Board                           | N3 million and above but less than N50           | N5 million and above but less than N60 | N2.5 million and above but less than N5          | N2.5 million and above but less than N5 million  |
| Parastatal Tenders Board                            | N2.50 million and above but less than N5 million | N5 million and above but less than N50 | N2.50 million and above but less than N5 million | N2.50 million and above but less than N5 million |
| Accounting Officer: Permanent Secretary             | Less than N1 million                             | Less than N3 million                   | Less than N1 million                             | Less than N1 million                             |
| Accounting Officer: Director General/CEO            | Less than N750                                   | Less than N750                         | Less than N750                                   | Less than N750 thousand                          |
| Local Govt. Areas?                                  | Less than N750                                   | Less than N1 million                   | Less than N500                                   | Less than N500 thousand                          |

**(b) Procurement Methods and Thresholds of Application**

| <b>Procurement/ Selection Method And Prequalification</b>    | <b>Goods</b>                             | <b>Works (N)</b>                         | <b>Non-Consultant Services (N)</b>       | <b>Consultant Services (N)</b> |
|--|--|--|--|--------------------------------|
| International/National Competitive                           | N50 million and above                    | N60 million and above                    | N20 million and above                    | Not Applicable                 |
| National Competitive Bidding                                 | N2.5 million and above but less than N50 | N2.5 million and above but less than N60 | N2.5 million and above but less than N20 | Not Applicable                 |
| Shopping (Market Survey)                                     | Less than N2.5 million                   | Less than N2.5 million                   | Less than N2.5 million                   | Not Applicable                 |
| Single Source/ Direct Contracting (Minor value procurements) | Less than N250 thousand                  | Less than N500 thousand                  | Less than N250 thousand                  | Less than N250 thousand        |
| Prequalification   | N50 million and above                    | N60 million and above                    | N20 million and above                    | Not Applicable                 |
| Quality and Cost Based                                       | Not Applicable                           | Not Applicable                           | Not Applicable                           | N20 million and above          |
| Consultant Qualifications                                    | Not Applicable                           | Not Applicable                           | Not Applicable                           | Less than N20 million          |
| Least Cost   | Not Applicable                           | Not Applicable                           | Not Applicable                           | Less than N20 million          |

2. The Bureau of Public Procurement wishes to observe that by these thresholds, greater procurement responsibilities have been placed on the Ministries, Departments and Agencies

(MDAs) while the **Bureau would be paying greater attention during post-procurement reviews in compliance with Clause 18(12), Part IV (Fundamental Principles for Procurements) of the 2013 Public Procurement Law**, which states that:-

“Copies of all procurement records shall be transmitted to the Bureau not later than 3 months after the end of the financial year and shall show:-

- (a) Information identifying the procuring entity and the contractors;
- (b) The date of the Contract award;
- (c) the value of the Contract, and,
- (d) the detailed records of the procurement proceedings”,

**b. NOTE:**

ONLY PROJECTS in excess of N60M for Works and N50M for Goods & Services qualify for Pre-qualification.

In other words Ministries/Department/Agencies (MDAs) should go straight to invite Bids for Tender and for the projects costing less than N50M for Goods (Supply Items) and less than N60M for works (Construction).

- c. Based only on procurement plans supported by prior budgetary appropriations and non procurement proceedings shall be formalized until the procuring entity has ensured that funds are available to meet the obligations and, subject to the threshold in the regulations made by the Bureau, has obtained "Certificate of No Objection to Contract Award" from the Bureau. Therefore procurement plan is a strategic consideration as a due process.

However, procurement planning is much more than just choosing which procurement methods to use for various goods, works and services contracts and when to schedule activities. These are important parts of planning but are closer to the end of the process than the beginning. Before reaching this stage, a number of more fundamental decisions should have been made first. The starting question is: What are the most effective procurement arrangements for achieving the entity's objectives?

This subjects in the general order in which they need to be addressed in procurement planning. It will soon become evident to a planner, however, that this is not a linear process but rather an interactive procedure that should explore various options. Quite different levels of planning details will be appropriate for different situations: a specific infrastructure investment; a social sector project; etc.

Whatever the situation or the effort and detail that go into the procurement planning, the results must be reviewed and updated throughout the life of a capital project. Estimates of time requirements, assumptions about institutional capacity,

changing priorities and other factors will require plan adjustments. The need for changes does not invalidate the plan; it simply emphasizes that planning is a dynamic process rather than a static picture.

### **Procurement Planning Committee**

For each financial year, every procuring entity shall establish a Procurement Planning Committee comprising of:

- The Accounting Officer of the procuring entity or his/her representative who shall chair the committee;
- A representative of the procurement function of the procuring entity who shall be the secretary;
- A representative of the unit directly in requirement of the procurement;
- A representative of the financial function of the procuring entity;
- A representative of the planning, research and statistics function of the procuring entity;
- A representative of the legal function of the procuring entity; and
- Technical personnel of the procuring entity with expertise in the subject matter for each particular procurement

### **Preparing the Plan**

Procurement planning may take either of two fundamentally different approaches, depending on whether it is for a specific investment project or one of the more programmatic types of operations. Regardless of which type of project, however, it is essential to develop a plan clearly sets out the framework in which procurement will be done.

The conventional approach for specific investment projects is to start by compiling a list of all known goods, works and services needed to achieve the set objectives. This list then becomes the basis for deciding how these items should be combined or divided into contract packages, what method of procurement should be used for each, and the scheduling for Procurement Activities. Even this seemingly straight forward preparation of the list of needs already implies a strategic decision about how procurement and contracting will be done.

The Procurement Planning Committee shall have the responsibility for planning the procuring entity's procurement as follows:

- (i.) Prepare the list of all known goods, works and services needed to achieve the set goals for the Procuring Entity.
- (ii.) Evaluate the list and divide into contract packaging.
- (iii.) Carry out appropriate market and statistical survey.
- (iv.) prepare an analysis of the cost implications of the proposed procurement
- (v.) Aggregate the procurement requirements both within the procuring entity and between procuring entities, to obtain economy of scale and reduce procurement cost
- (vi.) Prescribe appropriate method for effecting procurement subject to the necessary approval of the Procurement Planning Committee.
- (vii.) Integrate procurement expenditure into the entity's yearly budget



- (viii.) Ensure that no reduction of values or splitting of procurements is carried out such as to evade the use of the appropriate procurement method; and
- (ix.) Ensure that adequate appropriation is provided specifically for the procurement in the State budget.

In addition to the above, the Procurement Planning Committee shall have responsibilities for:

- Prescribing any method for effecting the procurement subject to necessary approval;
- Developing the tender;
- Advertising or soliciting for bids in accordance to established procedures and guidelines;
- Receiving and preparing for evaluation any bids received in response to solicitations.

### **MINISTRY OR PARASTATAL PROCUREMENT PLANNING COMMITTEES (MPPC/PPPC)**

The Permanent Secretary (for Ministries) or the Director General or officer of coordinate responsibility (for Parastatals) shall appoint the Procurement Planning Committee to carry out Procurement Actions. The composition of the Procurement Planning Committee is given below:

The membership of the Procurement Planning Committee shall be as follows:

- (i) The Permanent Secretary (for Ministry)! Director General or officer of coordinate responsibility (for Parastatal) of the Procuring Entity or his or her representative, who shall be the Chairperson
- (ii) A representative of:
  - The Unit directly in requirement of the procurement.
  - The Financial unit of the Procuring Entity.
  - The Planning Research and Statistics unit of the Procuring Entity.
  - Technical personnel of the Procuring Entity with expertise in the subject matter for each particular procurement;
  - The Legal unit of the Procuring Entity, and
  - The Procurement Office of the Ministry/Parastatal/Project, who shall be the Secretary

### **Functions of the Procurement Planning Committee**

The Procurement Planning Committee shall be responsible for:

- (i) Preparing the needs assessment and evaluation of the Procuring Entity
- (ii) Identifying the goods, works, and services required
- (iii) Carrying out appropriate market and statistical surveys in conjunction with the Department of Planning Research and Statistics (where available)
- (iv) Preparing an analysis of cost implications of proposed procurement

- (v) Aggregating its requirements whenever possible, both within the procuring entity and between procuring entities, to obtain economy of scale and reduce procurement cost.
- (vi) Integrating the Ministry's/Parastatal's expenditure into the yearly budget.
- (vii) Prescribing appropriate method for effecting the procurement and securing necessary approval for its implementation.

**d. ESTABLISHMENT OF MINISTERIAL TENDERS BOARD AS A DUE PROCESS AND APPROVING AUTHORITY FOR PROCUREMENT ACTIVITIES.**

**The Composition of the Tenders Board**

The Accounting Officer, that is the Permanent Secretary, in the case of ministries and the Director General or officer of coordinate responsibility in the case of extra-ministerial departments and corporations shall appoint the Ministerial Tenders Board (for ministries) or the Parastatal Tenders Board (extra ministerial departments and corporations) to handle Procurement Actions.

The Ministerial Tenders Board (for individual ministry) and the Parastatal Tenders Board (for each extra-ministerial department or project) shall be the approving authority for the conduct of public procurement for their respective entities.

Subject to the approval of the Governing Board on Public Procurement, the Adamawa State Bureau of Public Procurement shall, from time to time, prescribe guidelines for the membership of the Tenders Board. However, best practice principle is to have the membership limited to five as follows:

- (i) The Permanent Secretary or the Director General or officer of coordinate responsibility shall be the Chairperson
- (ii) Four other Heads of Department within the Ministry or the Parastatal.
- (iii) The Head of the Procurement Office of the Procuring Entity or his representative shall be a non-member Secretary to the Tenders Board. If the Head of the Procurement Office or his/her representative is unavailable a senior officer from the Ministry or Parastatal, not below the rank of an Assistant Director (or equivalent) may serve as the non member Secretary. Each permanent member on the Tenders Board shall have an alternate member to ensure continuity in the absence of any of the permanent members.

**Functions of the Tenders Board**

The Tender Board is primarily responsible to ensure that all contracting and procurement processes are executed in accordance with:

- (a) Good commercial practices
- (b) Adamawa State Public Procurement Law 2013
- (c) This Public Procurement Manual

A Quorum for a meeting to consider submissions shall be the Chairperson or his/her alternate and two other members

The Tenders Board shall be responsible for the award of procurements of goods, works, and services within the stipulated thresholds as contained in the procurement regulations from time to time.

Where there is a need for pre-qualification, the Chairperson of the Tenders Board shall constitute a Technical evaluation subcommittee of the Tenders Board.

The decisions of the Tenders Board shall be communicated to the Commissioner for implementation.

### **TECHNICAL EVALUATION SUB COMMITTEE OF THE TENDERS BOARD**

The Accounting Officer shall constitute a Technical evaluation sub-committee with the responsibility for the evaluation of bids and assisting with prequalification, where necessary.

The Technical Evaluation sub-committee of the Tenders Board shall be made up of relevantly qualified and experienced professional staff of the Procuring entity. However, the user department, subject matter expert (who may be invited from another ministry if not available in-house) and the procurement officer shall be members of the sub-committee.

The Secretary of the Tenders Board shall be the Chairperson of the technical evaluation sub-committee.

### **THE TECHNICAL AND FINANCIAL EVALUATION SUB-COMMITTEE**

Upon completion of the evaluation process, the Technical Evaluation Sub-Committee shall prepare a bid evaluation report setting out the process by which it evaluated the bids to be submitted to the Tenders Board for action. A Standard Bid evaluation Report covers among other things:

- Key dates and steps in the bidding process;
  - Tender prices, corrections, and discounts;
  - Additions, adjustments and price deviations;
- e. By open competitive bidding.
- (i) Project design & drawing/BOQ/BEME and full specification for goods.
  - (ii) Advertisement or expression of interest for pre-qualification, technical or financial, from companies and Service providers.
  - (iii) Pre-qualification bidding process requirement needs set by the Bureau which includes but not limited to the following.
    - 1) Certificate of Registration with the Corporate Affairs Commission (CAC).

- 2) Copies of immediate past three (3) years Tax Clearance Certificate with Tax Identification Number (TIN).
- 3) Evidence of VAT registration and remittance.
- 4) Evidence of three (3) years of company's Audited Report.
- 5) Detail of staff strength including the Curriculum Vitae and profile of key personnel i.e. their professional and technical qualification to carry out particular procurement.
- 6) Evidence of membership of Professional Training Association.
- 7) Evidence of financial capability bank support e.g. Bid security.
- 8) Verifiable evidence of previous consultancy experience/similar work undertaken in the last five (5) years including scope of work and value.
- 9) Evidence of compliance with the ITF Amendment Act 2011 by inclusion of Letter of Compliance from the Industrial Training Fund.
- 10) Evidence of compliance with the Pension Reform Act, 2004 by inclusion of Letter of Compliance from the National Pension Commission.
- 11) Evidence Sworn Affidavit that no member of staff of your ministry, department and agency is a former or current director or share holder in the company submitting the bid.
- 12) A Sworn Affidavit that none of the Director of the company or service provider was convicted of criminals offence or was ever declare bankrupt.
- 13) Registration as contractors/service providers in Adamawa State with the Bureau of Public Procurement.
- 14) Evidence of available equipments i.e for constructions and civil work etc.

- f.** In a manner which is transparent, timely, equitable for ensuring accountability and conformity with this law and regulations deriving there from.
- g.** With the aim of achieving value for money and fitness for purposes.
- h.** in a manner which promotes competition, economy and efficiency; and
- i.** In accordance with the procedures and timeline laid down in this Law and as may be specified by the Bureau from time to time.

- 2) Where the Bureau has set prior review thresholds in the procurement regulations, no funds shall be disbursed from the Treasury or Account of the State or any Bank Account of any procuring entity for any procurement falling above the set thresholds unless the cheque, payment or other form of request for payment is accompanied by the Certificate of "No Objection" to an award of contract duly issued by the Bureau.
- 3) For all cases where the Bureau shall set a review threshold, the Bureau shall prescribe by regulations, guidelines and the conditions precedent to the award of Certificate of "No Objection" under this Law.

- 4) Subject to the prior review thresholds as may be set by the Bureau, any procurement purpose to be awarded without a Certificate of "No Objection" to contract award duly issued by the Bureau shall be null and void.
- 5) Other fundamental principles for procurement are stated in part IV section 18 of the Law 2013.

## **PROCUREMENT DOCUMENTS AS A GUIDE TO PROCUREMENT PROCESS AND PROCEDURES IN COMPLIANCE WITH DUE PROCESS**

For every sector to succeed and operate effectively and efficiently its documents, regulations and guidelines must be clear and correct. Therefore, in line with this Bureau has a total of 21 Books viz:

1. Adamawa State Public Procurement law of 2013.
2. Standard bidding documents for procurement of Goods.
3. Standard bidding documents for small Works.
4. Standard bidding documents for large works.
5. Applicable Threshold.
6. Procurement regulations.
7. Standard request for quotation for National Shopping.
8. Code of conduct for Public Procurement officials.
9. Public Assets Disposal Guidelines.
10. Evaluation report form for selection of consultants.
11. Standard bidding documents pre-qualification
12. Documents for procurement of Works and users guide.
13. Procurement procedure manual.
14. Public Procurement Framework Agreement Guidelines.
15. Pre-requisite form for Certificate of No Objections.
16. Standard bidding documents for procurement of Non-consultant Services.
17. Standard Request for Proposals, Selection of Consultants.
18. Procedures and documentation pre-requisite for the issuance of a Certificate of No Objection.
19. Code of conduct for public procurement observers.
20. Complaints procedures under the public procurement law 2013.
21. Adamawa State Bureau of Public Procurement Condition of Service Manual.

I urge all the stakeholders particularly the Hon. Commissioners to pay more attention on “applicable thresholds, procurement procedures manual and public asset disposal guidelines.

Lastly, this law is sufficient in section 16 and 58 in terms of legal proceedings, the stakeholders are invited to adhere strictly to these provisions to avoid facing the wrath of Bureau and other outside law enforcement interventions such as ICPC, EFCC and the Police.

Bureau of Public Procurement is a friend to all and also an enemy to all that violates its Laws as ignorance of the law is not an excuse. While serving the States to contribute your quarter, I said congratulation and I wish you a happy smooth tenure.

Thank you.

Long live Nigeria.

Long live Adamawa State.

Long live Bureau of Public Procurement.