

CIRCULAR

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Office of the Secretary to the
Government of the Federation

The Presidency

Shehu Shagari Complex

Three Arms Zone,

Abuja

18th May, 2018

Chief of Staff to the President,
Deputy Chief of Staff to the Vice President,
Principal Secretary to the President,
All Honourable Ministers/Ministers of State,
Head of the Civil Service of the Federation,
National Security Adviser,
Economic Adviser to the President,
Special Advisers/Senior Special Assistants,
Chief of Defence Staff/Service Chiefs/Inspector-General of Police,
Governor, Central Bank of Nigeria,
Chairman, Federal Civil Service Commission,
Chairman, Police Service Commission,
Chairman, Code of Conduct Bureau,
Chairman, Code of Conduct Tribunal,
Chairman, Federal Character Commission,
Chairman, Revenue Mobilization, Allocation and Fiscal Commission,
Chairman, Federal Inland Revenue Service,
Chairman, Independent National Electoral Commission,
Chairman, National Population Commission,
Chairman, Independent Corrupt Practices and other Related
Offences Commission,
Chairman, Economic and Financial Crimes Commission,
Chairman, National Drug Law Enforcement Agency,

All Permanent Secretaries and Heads of Extra-Ministerial Departments,
Clerk of the National Assembly,
Chief Registrar, Supreme Court of Nigeria,
Accountant-General of the Federation,
Auditor-General for the Federation,
Directors-General and Chief Executives of Parastatals, Agencies and Government-Owned Companies.

GUIDELINE FOR PUBLICATION OF ADVERTISEMENT IN THE FEDERAL TENDERS JOURNAL AND NATIONAL DAILIES

The Bureau of Public Procurement (BPP) has observed from series of publications for the solicitation of bids in the Federal Tenders Journal and National Dailies that most Ministries, Departments and Agencies (MDAs) of Federal Government exhibit poor compliance with the standard requirements for the solicitation of bids as stipulated in section 16(6) of the Public Procurement Act, 2007 and SGF Circulars on compliance with the provisions of ITF and registration on the National Database of Contractors, Consultants and Service Providers.

2. The exhibition of poor compliance with the standard requirements in bid solicitations reviewed by the BPP has resulted in frequent corrections by the Bureau of Public Procurement resulting in Government incurring extra expenditure due to placement of addenda in the same media where the advertisements were initially placed. This trend also affects the Standard Processing Time of procurement in the MDAs resulting in project delay and non-achievement of the desired dividend of democracy to the electorates.

3. Consequently, the Bureau has developed standard advertisement templates for different forms of procurement notices as herewith attached. The soft copy of the standard advertisement templates can also be downloaded from the Bureau of Public Procurement's website on www.bpp.gov.ng.

4. Furthermore, all MDAs are required to ensure that all advertisements for the solicitation of bids are submitted in the required format to the Editorial Board (comprising of BPP staff amongst others) of the Federal Tenders Journal latest by 12noon of Wednesday preceding the Monday bi-weekly publication date of the Federal Tenders.

Journal to allow sufficient time for the Board to vet, clear and communicate the corrected version back to the MDAs for update and publication of the harmonised version in all the media to be published.

4. **Any advertisement that does not meet the mandatory requirements and deadline for publication will only be published in subsequent edition of the Federal Tenders Journal and will have its submission deadline extended to comply with the timeline stipulated in the Public Procurement Act, 2007 and extant Public Procurement Regulations.**

5. Please ensure strict compliance with the contents of this circular effective immediately.



Boss Mustapha

Secretary to the Government of the Federation

NAME OF THE MINISTRY, DEPARTMENT OR AGENCY (MDA)

ADDRESS OF THE MDA

TITLE/SUBJECT: INVITATION TO TENDER FOR (NAME OF THE PROJECT)

1. INTRODUCTION

- 1.1 Brief background about the MDA's objectives and the project under consideration.
- 1.2 State that experienced and competent contractors/suppliers are invited to submit bids for (**state the general description of the proposed project**).

2. SCOPE OF WORKS/SUPPLY

- 2.1 Give details of the Scope of Works/Supply for the project(s). (**If the number of the proposed project is more than one, package them into Lots, and assigned distinct Lot number to every one of them**)

3. ELIGIBILITY REQUIREMENTS (**state the minimum qualifications that the bidders must meet such as :-**)

- a. Evidence of Certificate of Incorporation with the Corporate Affairs Commission (CAC) including Form CAC2 and CAC7;
- b. Evidence of Company Income's Tax Clearance Certificate for the last three (3) years valid till 31st December, (**state current year e.g. 2018**); with minimum average turnover of (~~Nxxx~~) million; (**note: the turnover must be in line with the formula specified in the Standard Bidding Document (SBD) for Works published by BPP**);
- c. Evidence of current Pension Compliance Certificate valid till 31st December; (**state the current year e.g. 2018**);
- d. Evidence of current Industrial Training Fund (ITF) Compliance Certificate valid till 31st December, (**state the current year e.g. 2018**);
- e. Evidence of current Nigeria Social Insurance Trust Fund (NSTIF) Compliance Certificate valid till 31st December, (**state the current year e.g. 2018**);
- f. Evidence of Registration on the National Database of Federal Contractors, Consultants and Service Providers by submission of Interim Registration Report (IRR) expiring on 1/1/ (**state the following year e.g. 2019**) or valid Certificate issued by BPP.
- g. Sworn Affidavit disclosing whether or not any officer of the relevant committees of the (**state name of the procuring entity, should NOT include the name of the Parent Ministry in a case you are a Parastatal**) or the Bureau of Public Procurement is a former or present Director, shareholder or has any pecuniary interest in the bidder and to confirm that all information presented in its bid are true and correct in all particulars;
- h. Company's Audited Accounts for the last three (3) years - (**state the three years e.g. 2015, 2016, 2017**);
- i. Evidence of financial capability to execute the project including Reference Letter from a reputable commercial bank indicating willingness to provide credit facility for the execution of the project when needed;

- j. Company Profile with the Curriculum Vitae of Key Staff to be deployed for the project, including copies of their Academic/Professional qualifications (*in case of construction: COREN, QSRBN, ARCON, CORBON etc.*);
- k. Verifiable documentary evidence of at least three (3) similar jobs executed in the last five (5) years including Letters of Awards, Valuation Certificates, Job Completion Certificates and Photographs of the projects;
- l. List of Plants/Equipment with proof of Ownership/Lease (where applicable);
- m. For Joint Venture/Partnership, Memorandum of Understanding (MoU) should be provided (*all the eligibility requirements are compulsory for each JV partner*);
- n. All documents for submission must be transmitted with a Covering/Forwarding letter under the Company/Firm's Letter Head Paper bearing amongst others, the Registration Number (RC) as issued by the Corporate Affairs Commission (CAC), Contact Address, Telephone Number (preferably GSM No.), and e-mail address. The Letterhead Paper must bear the Names and Nationalities of the Directors of the Company at the bottom of the page, duly signed by the authorised officer of the firm.

4. COLLECTION OF TENDER DOCUMENTS

Interested companies are to collect the Standard Bidding Document (SBD) from the office of the (*state the position of the person, room and floor number and the office address*) on evidence of payment of a non-refundable fee of **₦10,000.00** per Lot, paid into the (*state the MDA's name*)'s Remita account in any commercial bank. (*If the procuring entity is not a Federal MDA, the fee should be paid into the Entity's account*)

5. SUBMISSION OF TENDER DOCUMENTS

Prospective bidders are to submit bid for each of the Lot desired, two (2) hard copies each of the technical and financial bids with softcopy of financial bid only in MS Excel format, packaged separately in sealed envelopes and clearly marked as "Technical Bid" or "Financial Bid". Thereafter, put the two sealed envelopes together in a bigger sealed envelope addressed to (*the MDA's Accounting Officer, with Office Address*) and clearly marked with (*the name of the project and the Lot number*). Furthermore, the reverse of each sealed envelope should have the name and address of the bidder and drop in the designated Tender Box (*state the location of the box*) not later than (*state the specific time and date, which must not be less than six (6) weeks, counting from the date of the advertisement*).

6. OPENING OF BID

The technical bids will be opened immediately after the deadline for submission (*state the specific time and date, which must be same with the deadline for submission*) in the xxx Room; (*state the address*) in the presence of bidders or their representatives, while the Financial bids will be kept un-opened. Please, ensure that you sign the Bid Submission Register in the office of (*state the position of the person, room and floor number and the office address*), as the (*state the name of the procuring entity*) will not be held liable for misplaced or wrongly submitted bids. For further enquiries, please contact the "xxx (Procurement)" on e-mail xxx@xx.gov.ng

7. GENERAL INFORMATION

- a. Bids must be in English Language and signed by an official authorized by the bidder;
- b. Bids submitted after the deadline for submission would be returned un-opened;
- c. Bidders should not bid for more than two (2) Lots (*note: this maximum ceiling is important in order not to over-stretch bidder's capacity, and causing delay in project delivery*);
- d. All costs will be borne by the bidders;
- e. All pre-qualified bidders will be contacted at a later date for financial bid opening, while bids of un-successful bidders will be returned un-opened;
- f. The (*state the name of the procuring entity*) is not bound to pre-qualify any bidder and reserves the right to annul the Procurement process at any time without incurring any liabilities in accordance with Section 28 of the Public Procurement Act 2007.

Signed

(Title of the Accounting Officer)

(Name of the Procuring Entity)

What to guide against when drafting the Advertisement

- i. Do not request that the prospective bidders should be registered with the procuring entity/parent Ministry. Apart from registration on the National Database of Federal Contractors, Consultants and Service Providers; any other request for registration should be with professional bodies whose expertise is required for the successful delivery of the project, such as NAICOM/Insurance, EHORECON/Cleaning Service, NITDA/CPN/Information Technology, ICAN/ANAN/Financial Reporting Service, COREN/QSRBN/ARCON/CORCON/SURCON/Construction, NSCDC/Security, ESVARCON/Estate Surveying etc.;
- ii. Except the procurement relates to financial reporting, evidence of registration with the Financial Reporting Council of Nigeria (FRCN) is not required;
- iii. Tender fees is only required when bid documents are to be issued to bidders, which should not be more than **₦10,000.00** per Lot;
- iv. For Federal MDAs, tender fees should be paid into Treasury Single Account (TSA) in line with Federal Government's directive;
- v. Invitation to Tender (for Goods & Works) is adopted when the item to be procured is less than **₦100 million** for Goods and **₦300 million** for Works. Bid Security is not required;
- vi. Publish the advertisement in at least two National Newspapers and Federal Tender Journals and ensure that the advertisement runs concurrently in all the Media for the minimum period of six (6) weeks stipulated by Law. Ensure that the Federal Tenders Journals gives final clearance on the draft advertisement before submitting it to National Newspapers;
- vii. For Motor Vehicle's procurement: do not include brand name and ensure to include in the eligibility requirements that "only companies included in the National Automotive Design and Development Council's approved list of local manufacturers of vehicles or their authorised representatives should bid for the procurement";

NAME OF THE MINISTRY, DEPARTMENT OR AGENCY (MDA)

ADDRESS OF THE MDA

TITLE/SUBJECT: INVITATION FOR PRE-QUALIFICATION FOR (NAME OF THE PROJECT)

1. INTRODUCTION

- 1.1 Brief background about the MDA's objectives and the project under consideration.
- 1.2 State that experienced and competent contractors/suppliers are invited to submit pre-qualification for (*state the general description of the proposed project*).

2. SCOPE OF WORKS/SUPPLY

- 2.1 Give details of the Scope of Works/Supply for the project(s). (*If the number of the proposed project is more than one, package them into Lots, and assigned distinct Lot number to every one of them*)

3. ELIGIBILITY REQUIREMENTS (*state the minimum qualifications that the bidders must meet such as :-*)

- a. Evidence of Certificate of Incorporation with the Corporate Affairs Commission (CAC) including Form CAC2 and CAC7;
- b. Evidence of Company Income's Tax Clearance Certificate for the last three (3) years valid till 31st December, (*state current year e.g. 2018*); with minimum average turnover of (Nxxx) million; (*note: the turnover must be in line with the formula specified in the Standard Bidding Document (SBD) for Works published by BPP*);
- c. Evidence of current Pension Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- d. Evidence of current Industrial Training Fund (ITF) Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- e. Evidence of current Nigeria Social Insurance Trust Fund (NSITF) Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- f. Evidence of Registration on the National Database of Federal Contractors, Consultants and Service Providers by submission of Interim Registration Report (IRR) expiring on 1/1/ (*state the following year e.g. 2019*) or valid Certificate issued by BPP;
- g. Sworn Affidavit disclosing whether or not any officer of the relevant committees of the (*state name of the procuring entity, should NOT include the name of the Parent Ministry in a case you are a Parastatal*) or the Bureau of Public Procurement is a former or present Director, shareholder or has any pecuniary interest in the bidder and to confirm that all information presented in its bid are true and correct in all particulars;
- h. Company's Audited Accounts for the last three (3) years - (*state the three years e.g. 2015, 2016, 2017*);

- i. Evidence of financial capability to execute the project including Reference Letter from a reputable commercial bank indicating willingness to provide credit facility for the execution of the project when needed;
- j. Company Profile with the Curriculum Vitae of Key Staff to be deployed for the project, including copies of their Academic/Professional qualifications (*in case of construction: COREN, QSRBN, ARCON, CORBON etc.*);
- k. Verifiable documentary evidence of at least three (3) similar jobs executed in the last five (5) years including Letters of Awards, Valuation Certificates, Job Completion Certificates and Photographs of the projects;
- l. List of Plants/Equipment with proof of Ownership/Lease (where applicable);
- m. For Joint Venture/Partnership, Memorandum of Understanding (MoU) should be provided (*all the eligibility requirements are compulsory for each JV partner*);
- n. All documents for submission must be transmitted with a Covering/Forwarding letter under the Company/Firm's Letter Head Paper bearing amongst others, the Registration Number (RC) as issued by the Corporate Affairs Commission (CAC), Contact Address, Telephone Number (preferably GSM No.), and e-mail address. The Letterhead Paper must bear the Names and Nationalities of the Directors of the Company at the bottom of the page, duly signed by the authorised officer of the firm.

4. SUBMISSION OF DOCUMENTS

Prospective bidders are to submit pre-qualification documents for each of the Lot desired; two (2) hard copies each of the technical bids packaged in sealed envelopes and clearly marked as "Technical Bid"; and addressed to (*the MDA's Accounting Officer, with Office Address*) and clearly marked with (*the name of the project and the Lot number*). Furthermore, the reverse of each sealed envelope should have the name and address of the bidder and drop in the designated Tender Box (*state the location of the box*) not later than (*state the specific time and date, which must not be less than three (3) weeks, counting from the date of the advertisement*).

5. OPENING OF PRE-QUALIFICATION DOCUMENTS

The technical bids will be opened immediately after the deadline for submission (*state the specific time and date, which must be same with the deadline for submission*) in the xxx Room, (*state the address*) in the presence of bidders or their representatives. Please, ensure that you sign the Bid Submission Register in the office of (*state the position of the person, room and floor number and the office address*), as the (*state the name of the procuring entity*) will not be held liable for misplaced or wrongly submitted bids. For further enquiries, please contact the "xxx (Procurement)" on e-mail xxx@xx.gov.ng

6. GENERAL INFORMATION

- a. Bids must be in English Language and signed by an official authorised by the bidder;
- b. Bids submitted after the deadline for submission would be returned un-opened;
- c. Bidders should not bid for more than two (2) Lots (*note: this maximum ceiling is important in order not to over-stretch bidder's capacity, and causing delay in project delivery*);
- d. All costs will be borne by the bidders;
- e. All pre-qualified bidders will be contacted at a later date for collection of tender documents;
- f. The (*state the name of the procuring entity*) is not bound to pre-qualify any bidder and reserves the right to annul the Procurement process at any time without incurring any liabilities in accordance with Section 28 of the Public Procurement Act 2007.

Signed
(Title of the Accounting Officer)
(Name of the Procuring Entity)

What to guide against when drafting the Advertisement

- i. Do not request that the prospective bidders should be registered with the procuring entity/parent Ministry. Apart from registration on the National Database of Federal Contractors, Consultants and Service Providers, any other request for registration should be with professional bodies whose expertise is required for the successful delivery of the project, such as NAICOM/Insurance, EHORECON/Cleaning Service, NITDA/CPN/Information Technology, ICAN/ANAN/Financial Reporting Service, COREN/QSRBN/ARCON/CORBON/SURCON/Construction, NSCDC/Security, ESVARBON/Estate Surveying etc.;
- ii. Except the procurement relates to financial reporting, evidence of registration with the Financial Reporting Council of Nigeria (FRCN) is not required;
- iii. Do not charge for Tender fees as such payment is only required when bid documents are to be issued to bidders;
- iv. Invitation for Prequalification is adopted when the item to be procured is **₦100 million and above for Goods, ₦300 million and above for Works**;
- v. Ensure to request for Bid Security of 2% of bid price in the Standard Bidding Document;
- vi. Publish the advertisement in at least two National Newspapers and Federal Tender Journals and ensure that the advertisement runs concurrently in all the Media for the minimum period of three (3) weeks stipulated by Law. Ensure that the Federal Tenders Journals gives final clearance on the draft advertisement before submitting it to National Newspapers.

NAME OF THE MINISTRY, DEPARTMENT OR AGENCY (MDA)

ADDRESS OF THE MDA

TITLE/SUBJECT: EXPRESSION OF INTEREST (EoI) FOR (NAME OF THE PROJECT)

1. INTRODUCTION

- 1.1 Brief background about the MDA's objectives and the project under consideration.
- 1.2 State that experienced and competent Consultants are invited to submit Expression of Interest for (*state the general description of the proposed project*).

2. SCOPE OF SERVICE

- 2.1 Give details of the Scope of Service for the project(s). (*If the number of the proposed project is more than one, package them into Lots, and assigned distinct Lot number to every one of them*).

3. ELIGIBILITY REQUIREMENTS (*state the minimum qualifications that the bidders must meet such as :-*)

Interested firms should submit two (2) bound EoI documents duly signed, paginated, separated by dividers and arranged in the order outlined hereunder:

- a. Evidence of Certificate of Incorporation with the Corporate Affairs Commission (CAC) including Forms CAC2 and CAC7;
- b. Evidence of Firm's Tax Clearance Certificate for the last three (3) years valid till 31st December, (*state current year e.g. 2018*); with minimum average turnover of (~~Nxxx~~) million;
- c. Evidence of current Pension Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- d. Evidence of current Industrial Training Fund (ITF) Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- e. Evidence of current Nigeria Social Insurance Trust Fund (NSITF) Compliance Certificate valid till 31st December, (*state the current year e.g. 2018*);
- f. Evidence of Registration on the National Database of Federal Contractors, Consultants and Service Providers by submission of Interim Registration Report (IRR) expiring on 1/1/ (*state the following year e.g. 2019*) or valid Certificate issued by BPP.
- g. Evidence of Firm's registration with relevant professional body e.g. NAICOM/Insurance, EHORECON/Cleaning Service, NITDA/CPN/Information Technology, ICAN/ANAN/Financial Reporting Service, COREN/QSRBN/ARCON/CORBON/SURCON/Construction, NSCDC/Security, ESVARBON/Estate Surveying etc.;
- h. Sworn Affidavit disclosing whether or not any officer of the relevant committees of the (*state name of the procuring entity, should NOT include the name of the Parent Ministry in a case you are a Parastatal*) or the Bureau of Public Procurement is a former or

present Director, shareholder or has any pecuniary interest in the bidder and to confirm that all information presented in its bid are true and correct in all particulars;

- i. Company's Audited Accounts for the last three (3) years - (***state the three years e.g. 2015, 2016, 2017***);
- j. Evidence of financial capability to execute the project including Reference Letter from a reputable commercial bank indicating willingness to provide credit facility for the execution of the project when needed;
- k. Company Profile with the Curriculum Vitae of Key Staff to be deployed for the project including copies of their Academic/Professional qualifications (***e.g. COREN, QSRBN, ARCON, CORBON, ICAN, ANAN, etc.***);
- l. Verifiable documentary evidence of at least three (3) similar jobs executed in the last five (5) years including Letters of Awards, Valuation Certificates, Job Completion Certificates and Photographs of the projects;
- m. For Joint Venture/Partnership, Memorandum of Understanding (MoU) should be provided (***all the eligibility requirements are compulsory for each JV partner***);
- n. All documents for submission must be transmitted with a Covering/Forwarding letter under the Company/Firm's Letter Head Paper bearing amongst others, the Registration Number (RC) as issued by the Corporate Affairs Commission (CAC), Contact Address, Telephone Number (preferably GSM No.), and e-mail address. The Letterhead Paper must bear the Names and Nationalities of the Directors of the Company at the bottom of the page, duly signed by the authorised officer of the firm.

4. **SUBMISSION OF EOI DOCUMENT**

Interested firms are to submit two (2) bound of Expression of Interest (EoI) documents separated by dividers and arranged as indicated above. The documents should be submitted in a sealed envelope and addressed to (***the MDA's Accounting Officer, with Office Address***) and clearly marked with (***the name of the project and the Lot number***). Furthermore, the reverse of each sealed envelope should have the name and address of the bidder and drop in the designated Tender Box (***state the location of the box***) not later than (***state the specific time and date, which must not be less than two (2) weeks, counting from the date of the advertisement***).

5. **OPENING OF EOI DOCUMENTS**

The EoI documents will be opened immediately after the deadline for submission (***state the specific time and date, which must be same with the deadline for submission***) in the xxx Room, (***state the address***) in the presence of bidders or their representatives. Please, ensure that you sign the Bid Submission Register in the office of (***state the position of the person, room and floor number and the office address***), as the (***state the name of the procuring entity***) will not be held liable for misplaced or wrongly submitted bids. For further enquiries, please contact the "xxx (Procurement)" on e-mail xxx@xx.gov.ng.

6. **GENERAL INFORMATION**

- a. EoI must be in English Language and signed by an official authorised by the bidder;
- b. EoI submitted after the deadline for submission would be returned un-opened;
- c. Bidders should not bid for more than two (2) Lots (***note: this maximum ceiling is important in order not to over-stretch bidder's capacity, and causing delay in project delivery***);
- d. All costs will be borne by the bidders;
- e. All shortlisted bidders will be contacted at a later date for collection of tender documents;

- f. The (*state the name of the procuring entity*) is not bound to shortlist any bidder and reserves the right to annul the Procurement process at any time without incurring any liabilities in accordance with Section 28 of the Public Procurement Act 2007.

Signed

(Title of the Accounting Officer)

(Name of the Procuring Entity):

What to guide against when drafting the Advertisement

- i. Do not request that the prospective bidders should be registered with the procuring entity/parent Ministry. Apart from registration on the National Database of Federal Contractors, Consultants and Service Providers; any other request for registration should be with professional bodies whose expertise is required for the successful delivery of the project, such as NAICOM/Insurance, EHORECON/Cleaning Service, NITDA/CPN/Information Technology, ICAN/ANAN/Financial Reporting Service, COREN/QSRBN/ARCON/CORCON/SURCON/Construction, NSCDC/Security, ESVARBON/Estate Surveying etc.;
- ii. Except the procurement relates to financial reporting, evidence of registration with the Financial Reporting Council of Nigeria (FRCN) is not required;
- iii. Expression of Interest is adopted for Consulting Services, after which Request for Proposals are issued to shortlisted bidders;
- iv. Do not charge for Tender fees as such payment is only required when Request for Proposals are to be issued to bidders;
- v. Ensure to request for Bid Security of 2% of bid price in the Request for Proposal, if the bidder's quoted sum is **₦100 million or above**;
- vi. Publish the advertisement in at least two National Newspapers and Federal Tender Journals and ensure that the advertisement runs concurrently in all the Media for the minimum period of two (2) weeks stipulated by Law. Ensure that the Federal Tenders Journals gives final clearance on the draft advertisement before submitting it to National Newspapers.