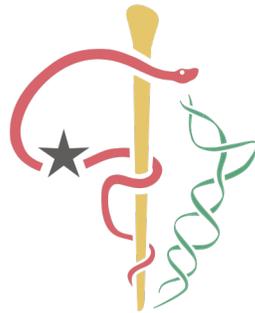


Africa Centres of Excellence for Development Impact
(ACE Impact)

West African Genetic Medicine Centre (WAGMC)
University of Ghana



Procurement Management Manual
(2019 –2024)

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PREFIX

OVERVIEW OF THE WEST AFRICAN GENETIC MEDICINE CENTRE (WAGMC)

The WAGMC is an academic Centre of Excellence in the University of Ghana (UG) focused on human genetic disorders. Its primary objective is to increase the quality and quantity of postgraduates in Ghana, and the rest of West Africa to impact the burden of human genetic disorders, particularly, sickle cell disease (SCD) in the region. Sickle cell disease is an inherited blood disorder. It is the most common genetic disease in West Africa and in the world. Nearly 2% of livebirths in the region is affected by SCD with the overwhelming majority of parents not knowing their own sickle cell status, and the risks and the status of the fetus. Over 80% of infants born with SCD in the region die by five years, with the overwhelming majority not being diagnosed. In addition, somatic gene mutations drive the disease process in multiple acquired disorders including leukaemia, lymphoma, solid tumours, kidney disease and diabetes. Deaths due to these common diseases are preventable in the West through molecular diagnosis and targeted therapy. In West Africa, a paucity of the human capacity and facilities in genetic medicine is a cardinal contributor to the high death rate from somatic gene mutation disorders.

The Developmental Challenge of SCD and other human genetic disorders in Africa was recognized decades ago by the World Health Assembly (WHA), which urged member countries to address the Challenge by developing several inter-related genetic medicine capacities. The capacities include genetic counselling, newborn screening; medical genetics services; intensification of training of all health professionals and community volunteers; health counselling and ethical, legal and social issues; effective international cooperation, and basic and applied research in SCD. The Assembly recognized that implementation of WHA59.20 will not only help to combat SCD, but also reduce the health burden of other genetic disorders in Africa. To directly address this challenge, WAGMC will develop inter-related programmes in education, training, applied research and service with cross-cutting themes in: **a)** counselling, **b)** medical genetics, **c)** biochemical and molecular genetics **d)** fetal medicine/perinatology, **e)** cyto-genetics, **f)** inherited blood disorders, **g)** cancer, **h)** diabetes and **i)** kidney disease.

WAGMC will employ a system-based research approach to understand the barriers to instituting preventative measures against severe inherited disorders in WA, to understanding the paucity of precision medicine in cancer and to identifying genes that can be transcriptionally altered to ameliorate genetic disorders. A vertically integrated community-to-bedside-to-bench-to-bedside-to-community scientific inquiry will be used in all research to understand key factors that influence the prevalence and health outcomes of common diseases in WA. The broad research themes are therefore ***Predictive Medicine, Personalized Medicine and Therapeutic Gene Modulation.***

The 5-year goals of WAGMC designed to impact the Developmental Challenge of human genetic disorders in WA highlighted by SCD are to: **a)** graduate 100 postgraduate genetic counsellors, **b)** graduate 100 Masters-level Medical Genetic Scientists, **c)** graduate 40 PhD Medical Genetic Scientists, **d)** Confirm by DNA analysis ambiguous cases of SCD in the national newborn screening programme, **e)** establish a new department of Human Genetics in UG, **f)** establish a Ghana Society of Human Genetics and **g)** establish a startup company in pre-natal diagnosis in Ghana.. Collectively, the aforementioned outputs will increase knowledge of genetic disorders in Africa and provide the human capacity and facilities to implement the major recommendations contained in WHA 59.20 in Ghana, and in WA.

APPLICATION OF PROCEDURES

This Manual is the authoritative document of Procurement Management of the West African Genetic Medicine Centre (WAGMC) at the University of Ghana (UG). It is a modification of the

parent procurement manual of the University. The manual seeks compliance with the Public Procurement Law 2003, Act 663, Amendment Act 2016, Act 914 and with the UG Basic Laws. Where conflict arises with donor guidelines in donor funded projects or procurements, ***then the donor guidelines will apply in so far as these have been incorporated into and accepted in the relevant Grant Agreement.***

The policies, procedures and practices specified in this Manual are meant to provide instructions and guidance to all staff dealing with procurement in WAGMC. The Centre is expected to be a cost centre; i.e. preparing its own budget and has therefore responsibility of expending and accounting for its own resources following the procurement procedures herein.

The instructions in this manual set out the policies and procedures relating to the procurement of goods, works and services by WAGMC for the execution of its budgeted programmes.

They are designed to;

- Guide procurement activity within the Centre.
- Provide uniform policies and procedures for the procurement of goods, works and services.
- Provide procedures for procurement generally

There shall be procurement officer in WAGMC to ensure corporate decision making in the award of contracts. It is also to ensure that the Center Leader and the UG Vice-Chancellor, and the Provost of the College of Health Sciences are in the front line with respect to contract awards and therefore disbursement of funds.

The objective of these procedures is to ensure that the use of project resources is done with due care to economy, efficiency, transparency and accountability and that there is consistency in procurement management at all levels within UG.

This manual may be amended from time to time to include new improved procedures which simplify the procurement process and otherwise help to accomplish the mission of the Centre. The amendments should however always be in compliance with the Public Procurement Act 2003, Act 663, Amendment Act 2016, Act 914.

Key Definitions

Wherever used in this Manual, the following terms or expressions shall have the following meanings.

- (a) “The Purchaser” means the University of Ghana or WAGMC acting on its behalf referred to herein as the procuring entity.
- (b) “The Supplier” means the provider of goods, works or services.
- (c) “The Goods” means all work associated with the construction, reconstruction, demolition, repair or renovation of a building or structure or surface and it includes site preparation excavation, erection, assembly, installation of plant, fixing of equipment and of the equipment, machinery, and/or other materials which the supplier is required to supply to the Purchaser under the contract.

- (d) "The Works" are what the contract requires the contractor to supply, install and turnover to the employer as defined in the contract data.
- (e) "The Contract" means the agreement entered into between the purchaser and the supplier/contractor/consultant as recorded in the contract form signed by the parties including all attachments and appendices thereto and all documents incorporated by reference therein.
- (f) "The Contract Price" means the price payable to the supplier/contractor/consultant under the contract for the full performance of its contractual obligations.
- (g) The term "Loan/Credit/Grant" means the maximum amount of the resources granted by the Donor agency and Specified in an Agreement.
- (h) The term "Project" means any programme or other operation for which the loan is granted as described in the loan Agreement.
- (i) The expression "Currency of a Country" means the currency which is legal tender in that country.
- (j) The term "Bid Security" means cashier's or certified cheque or a bank guarantee or an irrevocable letter of Credit issued by a reputable bank located in the purchaser's country or abroad.
- (k) The term "Performance Security" means a bank guarantee or Insurance bond issued by a reputable bank or insurance firm acceptable to the purchase as security for compliance with the suppliers' performance obligation.
- (l) "Delivery" means delivery by the dates set out in the Acceptance of the tender.
- (m) "Tests" means such test or tests as are prescribed in the contract or considered necessary to confirm the specification of the goods or works.
- (n) "The Inspector" means the individual or firm duly authorized by the purchaser to act as its Inspector under the contract, or his or their duly authorized agent.
- (o) "Procurement Plan" means a time schedule of procurement activities.
- (p) "Accredited Agents" mean representatives of manufacturers, wholesalers and suppliers
- (q) "Approved Suppliers" means suppliers who have been assessed and found fit to supply required goods, works and services to the procurement unit.
- (r) "Approved Suppliers List" means a list of suppliers who have been assessed and found fit to supply required goods, works and services.
- (s) "Procurement Unit" means a group of qualified procurement experts set up to handle procurement.
- (t) "Procurement Officer" mean qualified procurement personnel

- (u) "Tendering" means the systematic procedure of soliciting offers from suppliers/contractors/consultants. Tendering and Bidding will be synonymous.
- (v) "Tender Opening Officer" means the procurement officer nominated to open a tender.
- (w) "Procurement and Tender Committee" means the standing committee of Council, set up to review evaluation reports on evaluation of bids for goods, works and services, and approves recommendation of contract award among other things.

CHAPTER 1

1.0 ETHICAL CODE

1.1 Introduction

- 1.1.1 This code is binding on all personnel entrusted with procurement in WAGMC and within the UG at all levels.
- 1.1.2 Any case of Personnel reported to have breached the code shall be investigated by a committee appointed by the Vice-Chancellor. Where a case is proven, the particular person may, depending on the circumstances and the gravity of the charge, be either admonished, reprimanded, suspended or have his/her appointment terminated.

1.2 Precepts

- 1.2.1 Personnel entrusted with procurement shall never use their authority or office for personal gain and shall seek to uphold and enhance the standing of procurement practice in the UG by:
- (a) Maintaining an impeccable standard of integrity in all their business relationships both inside and outside the UG;
 - (b) Fostering the highest possible standards of professional competence.
 - (c) Optimizing the use of resources for which they are responsible to provide the maximum benefit to UG.
 - (d) Complying both with the letter and the spirit of:
 - (i) the Public Procurement Law 2003, Act 663, Amendment Act 2016, Act 914 of Ghana;
 - (ii) the Financial Administration Act 2003, Act 654;
 - (iii) ethical guidelines enshrined in the University of Ghana Act
 - (e) Rejecting any business practice which might reasonably be deemed improper.

1.3 Guidance

In applying these precepts, procurement personnel should follow the guidance set out below:

- (a) **Declaration of interest:-**
Any personal interest which may impinge or might reasonably be deemed by others to impinge on one's impartiality in any matter relevant to his or her duties should be declared.
- (b) **Confidentiality and accuracy of information:-**
The confidentiality of information received in the course of duty should be respected and should never be used for personal gain; information given in the course of duty should be true and fair and never designed to mislead.

- (c) **Competition:-**
While bearing in mind the advantages to the University of Ghana of maintaining a continuing relationship with a supplier/contractor/consultant, any arrangement which might, in the long term, prevent the effective operation of fair competition, should be avoided.

- (d) **Hospitality:-**
Hospitality as a courtesy in business relationships should not be allowed to influence business decisions in performing one's duties.

CHAPTER 2

ORGANISATION OF THE PROCUREMENT FUNCTIONS WITHIN THE CENTRE

2.0 Organization

- (a) The following shall be recognized as a separate “Procurement Entity”:
- The West African Genetic Medicine Centre (WAGMC)
- (a) There will be a Procurement Unit within the Centre which will effectively be a centralized procurement management unit of UG. Its purpose will include the provision of specialized procurement services to the Centre in assisting in the acquisition of goods, works and services and implementing of donor funded projects.
- A core procurement section within the UG will coordinate and oversee the procurement process – such as procurement planning, bidding/tendering, evaluation, contract award, etc. for all requirements and providing reports as and when necessary.
- (b) The Procurement Unit will be headed by a Senior Member with experience in public procurement, who will report to the Vice-Chancellor. He/she will be supported by one deputy and also by qualified staff in goods, works and services procurement.
- (c) Procurement Officer/Coordinators will be established in the Centre to perform the functions listed above, with the central Procurement Unit providing the general oversight.

CHAPTER 3

GENERAL POLICIES AND GUIDANCE

3.0 Procurement Planning

- 3.1.1 Procurement Planning should start with the technical considerations relating to economic and efficient implementation of the approved budgeted programmes and activities to be embarked upon. Planning for procurement eliminates the number of rush orders and results in lower purchase costs and improved service delivery. Such planning should also take into consideration the information needs of the supply chain from initiation through to onsite delivery as a seamless, integrated whole.
- 3.1.2 All procurement should be initiated sufficiently early so that delivery schedules are acceptable and no premium is paid for urgent deliveries. Planning for procurement results in obtaining materials on hand when needed. Effective procurement planning – or the lack of it – has a very definite impact on the overall schedule of the entity and the attainment of the entity's objectives.
- 3.1.3 The procurement plan will consist of :
- (i) generation of schedules
 - (ii) estimated cost from budget
 - (iii) estimated procurement method and
 - (iv) processing time up to final delivery
- 3.1.4 The preparation of annual procurement plan should be ready by first week of December for each subsequent year.
- 3.1.5 The Centre shall prepare its procurement plan based on its approved capital budget for the given year.

3.2 Schedule of Approval Authorities and Limits

- 3.2.1 Technically, the Vice-Chancellor should approve/authorize all expenditure including procurement activities. However, it is not normally possible to have the Vice-Chancellor do this personally. In the normal structure of things therefore the levels of responsibility have been provided in chapter 6.

3.3 Standardization

- 3.3.1 The requirement for use of open competitive bidding procedures donor funded procurement, coupled with the conditions of the particular supply environment such as frequent acute shortages of particular products, does not encourage standardization as a supply objective. However, procedures in Procurement and Logistics can be streamlined and, in particular, special attention paid to development of specifications in order to help achieve some of the benefits otherwise available through standardization.

3.4 Suppliers/Contractors and Specifications Database

- 3.4.1 Supplier/Contractor Sourcing

One of the greatest challenges within a procurement organization is to establish specifications and reliable competitive sources for goods, works and services to be procured.

- 3.4.2 Sources of supplies shall be established using any of the following methods:-
- a) Periodic advertising in newspapers and publications, requesting suppliers and manufacturers of a range of products and contractors to apply for placement on University of Ghana suppliers/contractors list.
 - b) Invitation to tender for specific requirements, again using the media.
 - c) Advertisements appearing in newspapers, professional journals and similar publications
 - d) Information from Trade Directories and reference manuals provided by specific industries.
 - e) Circulating letters to known trading organizations, Chambers of Commerce, Embassies/Commercial attaches and other similar organizations
 - f) Attendance at local Trade Fairs and Exhibitions, collecting manufacturers' brochures for future study and analysis.
 - g) Discussion with other Procurement Managers through contacts with local Institutions etc.
 - h) The Internet
- 3.4.3 Any practice involving the use of a limited and unchanging list of accredited suppliers/contractors is, generally, unacceptable. Sourcing should always consider potential suppliers/contractors and should be based, as far as possible on the original source concept. In the procurement of goods this requires consideration or, in descending order of priority:
- a) Manufacturers
 - b) Main Distributors
 - c) Area Agents/Wholesalers
 - d) Retailers/Stockists

3.5 Supplier /Contractor Evaluation

- 3.5.1 When suppliers/contractors have been located and identified using the sourcing techniques outlined in Clause 3.7.2, the next step is to evaluate their suitability for inclusion in the list of Approved Suppliers/Contractors.
- 3.5.2 Supplier/Contractors Information Form: The supplier/contractor is initially asked to complete a Supplier Information form as illustrated at Appendix 2. For procurement by ICB and NCB relevant sections of the information required on this form may be incorporated in the bidding documents and as part of the evaluation criteria where these do not conflict with the donor's procurement guidelines. The following factors should be considered:
- a) Suppliers/Contractor location, experience, any change of business name. The location should always be business premises. A residential house will generally denote a 'brief case' merchant/contractor with little capital, stock, or knowledge of the goods/works and quality required.
 - b) The Supplier's/Contractor's status is an important factor when considering supply sourcing. Manufacturers, Authorized Importers, and Main Agents will generally supply to known quality and price levels. Stocklists and general merchants of good quality can be useful particularly for one-off

urgent or small value requirements. Details of products certificates of registration as agents and where appropriate, VAT Registration Certificate, Social Security Clearance Certificate and Income Tax Clearance Certificate should be verified.

- c) The available manpower and storage facilities/available equipment are often a good indicator of the status of the potential supplier/contractor. A single office with a 'receptionist' and a telephone often denotes the 'bazaar trader' who is an opportunistic buyer to meet a known requirement. He will often provide poor quality and sometimes not deliver at all if he cannot buy cheaply enough.
- d) Ownership, time in business, product knowledge and previous relationships should all be considered together with the financial status of the supplier/contractor. Bankers' references should always be required.

3.5.3 Supplier/Contractor qualification data shall be checked against the following criteria and assessed as "Pass or Fail"

- a) Supplier/Contractor status based on standing of the Company e.g. known international or local manufacturing/constructing company.
- b) Facilities based on office manpower facilities, warehouse, delivery capacity, communication facilities, equipment aftersales service facilities and spare parts availability.
- c) Knowledge of Supply of Product works based on qualification, experience, corporate achievements, product Reputation and suppliers terms of contract e.g. contract payment terms, return of defective goods, variation clauses etc.
- e) Past Performance Records. A record of quality performance of a supplier/contractor in past contracts shall make that supplier/contractor eligible.
Suppliers/contractors of high value packages shall provide three referees who may be approached for confidential reports on the supplier/contractor.
- f) Financial capability. Financial position based on three years audited accounts. Balance sheets, cash flow statements, Bank reference, (current income tax certificate and VAT certificate for local firms) the assessment of financial capability may be conducted with the assistance of the Director of Finance.
- g) Production capability based on equipment type, number of equipment, age, equipment flexibility, equipment output quality control and production schedule.
- h) A visit to the supplier's/contractors premises by a team drawn from Procurement, DMSD, Finance and Internal Audit Sections will conduct a field assessment.
- i) Certain factors should automatically lead to a "not recommended assessment. The main ones are:
 - a) No Bankers reference;
 - b) No stock held;
 - c) False information supplied;
 - d) No business premises.

3.5.4 On completion of the evaluation, the assessment is to be confirmed by the Head of Procurement Unit or the Director, Physical Development & Municipal Services Directorate or jointly by the two as appropriate, before a supplier/contractor is included in the approved supplier/contractor database.

3.6 Materials Specifications

- 3.6.1 The specification of an item should be that most suited to the general purpose for which it is intended and not only upon the design, cost or quality. It is particularly important to avoid the use of brand names in material specifications. Where unavoidable, the phrase “or equivalent” should be used.
- 3.6.2 Performance & conformance Specifications: A performance (or generic) specification gives a clear idea of the function, application, and performance required of the supplied goods or services. From such specifications, Suppliers can often provide new improved or cheaper solution. Conformance (or specific) specification restricts the Supplier to providing the actual article physically specified. Any of these could be used as and when necessary.
- 3.6.3 Specification must be clearly, accurately and completely drawn so as to leave no doubt in the supplier’s mind as to what the purchaser requires. Unnecessarily restrictive requirements, which may unduly limit the number of bidders, shall be avoided.
- 3.6.4 Specifications should be drawn up by the user departments in consultation with the Procurement Unit. Where appropriate, assistance must be sought from technical experts to ensure the preparation of the right specifications.

3.7 Suppliers/Contractor and Materials Specification’s Databases

- 6.7.1 WAGMC shall develop a database of approved suppliers/contractors and approved material specifications which shall be regularly maintained and updated to ensure its accuracy and reliability. Such databases will become an invaluable management tool for facilitating the objectives of the supply process under the entity i.e. efficiency, economy, and transparency without sacrificing quality.

3.8 Supplier/Contractor Performance Appraisal

- 3.8.1 On completion of an order or contract, the performance of the Supplier/contractor shall be assessed against the following factors:
- a) Conformity to order or contract instructions and responses to progress enquiries.
 - b) On time documentation completion and delivery.
 - c) Delivery record against requirements.
 - d) Any quality or specification changes.

The assessment shall be carried out by the Head, Procurement Unit. A supplier/contractor who performs poorly may have his/her name deleted from the supplier/contractor database.

CHATER 4

PROCUREMENT METHODS AND PROCEDURES

4.0 Procurement Methods

4.1. General

The under listed procurement methods shall be followed:

- a) International Competitive Tender
- b) National Competitive Tender
- c) Local or International Shopping
- e) Restrictive Tender
- f) Sole or Single Source

(a) **International Competitive Tender (ICT)**

ICT procedures shall be used where the contract is likely to attract foreign firms by nature or by value of contract. ICT procedures shall be used for contract values determined in chapter 6. Tenders shall be openly advertised and all eligible bidders shall be allowed to submit bids. The bidding period shall not be less than 6 weeks from date of advertisement. The advertisement shall be made in the National press of wide circulation. Additionally, the advert will be placed in the International press and also on the Public Procurement Authority (PPA) website.

(b) **National Competitive Tender (NCT)**

National Competitive Tendering procedure shall be used where the contract is not likely to attract foreign competition either by nature or by value of contract. NCT procedure shall be used for estimated contract values as indicated in chapter 6. NCT shall be advertised in the National press of wide circulation or official gazette. The local currency (Ghana Cedi) shall generally be used for the purposes of bidding and payment. The bidding period shall not be less than 3 weeks from date of advertisement. The advertisement shall be made in the National dailies of wide circulation. Additionally, the advert will be placed on the Public Procurement Authority (PPA) website.

(c) **Local or International Shopping**

Shopping shall be used for procuring readily available off-the-self goods of standard specification commodities that are small in value as indicated in chapter 9. A minimum of three quotations shall be solicited from three different suppliers, known to deal in the particular business. Request for quotations shall indicate the description and quantity of the goods as well as desired delivery time and place. Quotations may be submitted by e-mail or facsimile if so specified.

(d) **Restrictive Tender (RT)**

Restrictive Tender procedures may be used by the Centre where the requirement is of a specialized nature such that the goods, works and services are available only from a limited number of suppliers or contractors, or where due to the urgent nature of the requirement, an open competitive tender will be inappropriate. Restrictive tender can then be used for reasons of economy and efficiency, but subject to the approval of the donor procurement authority.

(e) **Sole or Single Source (SS)**

Sole-Source procurement may be used where goods, works and services are only available from a particular supplier, contractor or consultant or if a particular supplier,

contractor has exclusive rights in respect of the goods, works or services, and no reasonable alternative exists. Single sourcing may also be used for a variety of reasons including emergency, additional supplies or works due to standardization or where there is the need for compatibility with existing goods or equipment. It should only be used after obtaining prior approval from the donor procurement authority.

4.2 Tender Opening Panel

In all the above situations except for Sole-sourcing, a tender opening panel not limited to but including staff from Procurement and the Centre shall be composed to open the bids. Representatives of bidders may be invited to witness the bid opening.

4.3 Procurement & Tender Committee

The Procurement and Tender Committee (PTC) is headed by the Vice-Chancellor for University of Ghana. The members are the following:

- The Vice Chancellor
- The Registrar
- The Director of Finance
- The Legal Counsel
- Three (3) Heads of Department including user Department
- A member of a Professional Body
- A representative of the National Council on Tertiary Education
- A representative of the University Teachers' Association
- A representative of the Students' Representative Council
- A representative of the Graduate Students' Association
- A representative of the Development Committee

4.4 Tender Evaluation panel

A tender evaluation panel must be set up to undertake the evaluation of bids. This is usually an ad hoc team empanelled to review the bids received. The panel shall be made up of not less than three persons who should work in a secure place where all the bidding documents must be kept.

4.5 Applicable Law

The applicable Law under which the contract shall operate is the Law of Ghana.

4.6 Open Tendering Procedures

Upon receipt of the Procurement Plan or requisition to procure and notification of availability of funds, the Procurement Officer shall prepare an operational schedule and proceed with procurement action to ensure delivery in a timely manner.

For open competition, bids will be invited on the basis of detailed public invitation notice and bid documents. The bid documents shall contain detailed information on the following:

- (i) Instructions to Bidders
- (ii) Conditions of Contract
- (iii) Schedule of Requirements
- (iv) Technical Specifications or Bills of quantities/drawings
- (v) Standard Forms e.g. Bid Securities, Performance Securities

4.7 Opening of File

A file shall be opened for every procurement package. The procurement officer must enter the expected time scales on this to serve as a yardstick by which actual time can be compared and to help maintain a concise and chronological summary of all actions from initiation to completion stage of the procurement. The information contained in the status summary will provide a full history of transactions, for the purpose of:

- (a) providing a summary background information to ensure informed decision making at each stage of the procurement cycle;
- (b) providing information on actions taken by personnel in the procurement cycle;
- (c) providing information for review and investigation of certain actions;
- (d) furnishing essential information in the event of any inquiries or litigation.

The procurement cycle represents the stages and events that take place in the procurement process. For each contract the cycle may involve many or all of the stages discussed below.

4.8.1 Preparation of the Bidding Document

4.8.1 Bidding documents shall be prepared in respect of all contracts. The level of detail of the bidding document will depend on the size and nature of the contract.

The bidding document shall specify clearly the

- (i) items required
- (ii) Bidding procedure and
- (iii) criteria for bid evaluation and contract award.

(a) **Specifications**

- (i) Specification must be clearly, accurately and completely, drawn and in such a manner as not to be unnecessarily restrictive which might unduly limit competition. Specifications drawn should not leave doubt in the mind of potential bidders as to the nature of the goods, works or services required.
- (ii) Specifications must be drawn up by the user departments in consultation with the Procurement unit. Where technical considerations are involved, expert assistance shall be sought to draw up the right specifications. Further guidelines on drawing up of specifications are provided under Clause 6.6.

(b) **Bid Security**

- (i) The purpose of a bid security is to provide the purchaser with the security that the validity of a bid will be maintained until the contract is awarded and signed and a performance security is furnished within the time stipulated.
- (ii) The bidding document must state whether a bid security is required. In determining the amount of a bid security, consideration should be given to the number of items required and their prices.

- (iii) The bid security amount shall be in the range of 1% - 5% of the total bid price and in the format specified in the tender document.
- (iv) Where a bid security is required it shall be provided with the bid or before the deadline specified for submission of bids. After the bid opening no bid securities shall be accepted. All bids without bid securities or adequate bid securities shall be rejected.
- (iv) The purchaser shall call in the bid security if the bidder withdraws his bid before expiry of its validity or refuses to sign the contract after bid acceptance or in a situation where the bidder refuses to provide the required performance security after signing the contract of award.
- (vi) Bid securities shall be released to the successful bidders after the contracts have been accepted and a performance security furnished. Bid securities of unsuccessful bidders shall be released after awards have been made or upon expiry.
- (vii) Bid securities shall also be returned upon termination of the bidding proceedings or upon withdrawal of a bid prior to the deadline for the submission of bids.

(c) **Delivery Periods, Performance, Bid Validity and Bid Currency,**

- (i) Delivery and performance schedules stated in the bidding document shall be designed with regard to the following:
 - Urgency of need for supplies works or services;
 - Production item;
 - Market Conditions;
 - Transportation mode;
 - Time for obtaining and evaluating bids and awarding contracts.
 - Delivery terms, e.g. FOB, CFR, CIF, CIP etc.
- (ii) The bidding document shall indicate the latest delivery schedule acceptable to the purchaser; any offer beyond this time may be penalised or declared non-responsive,
- (iii) The point of delivery shall be specified in the bidding document.

Bid Validity

- (i) The bid validity period required, which shall be a period sufficient to allow for evaluation, "No Objection" and award of contract, shall be specified in the bidding document.

Bid Currency

- (i) The currency of bid shall be the Ghanaian Cedi unless specified otherwise in the bidding document. The bidding document shall also specify the common/base currency for evaluation purposes. Such base currency may be the cedi or a convertible currency.

The selling exchange rate established by the Bank of Ghana at the date of bid opening or as specified in the Bidding document shall be used for conversions of other currencies to the base currency.

- (d) **Liquidated Damages**
 - (i) Provision may be made for a Liquidated Damages clause in the bidding documents. This clause may be included if or when the timely performance of the contract is critical to the purchaser who may reasonably expect to suffer loss if the supplier fails to deliver or perform the contract as required. An appropriate amount shall be charged
- (e) **Packing and Marking**
 - (i) The bidding document shall specify appropriate instructions on the method and nature of preservation and packing, and the markings to be made on the packages to ensure that goods will be protected from damage, theft and pilferage while in transit
 - (ii) Where goods are to be transported to sites without storage, it shall be requested that the goods be packed in non-returnable containers.

4.9 Approval of Bidding Document

- (a) Where the bidding document have been prepared by an external agent (i.e. engineering consultant, procurement agent) they must be submitted to the purchaser for approval.
- (b) Where the contract is being financed by a donor and the agreement is that the bidding document is cleared with the donor before issue, this must be observed.

4.10 Invitation for Bids

- 4.10.1 On approval of the bidding document, advertisements shall be placed in the Newspapers or invitations sent directly to selected bidders as the case may be inviting eligible bidders to respond to the invitation to bid.
- 4.10.2 The invitation for bids is to alert the business community to the upcoming procurement opportunities and should therefore be given wide publicity so that eligible qualified bidders can register their interest and look forward to receiving the bidding document.
- 4.10.3 As a general rule, all such invitations for bids shall allow sufficient bidding time (i.e. the period between the invitation for bids and the opening of bids) to enable bidders purchase the bidding documents and submit bids.
- 4.10.4 In the case of the process where bidders are supposed to purchase bidding documents all eligible bidders shall provide their names, contact addresses, telephone and fax numbers (if any) to the Procurement Officer.

4.11 Activities during Bidding Time

4.11.1 Amendment to Invitation for Bids

- (a) If after issuing the invitation for bids, but before the time of bid opening, it becomes necessary to make changes in specifications, delivery schedules, opening dates, etc., or to correct a defective or ambiguous statement in the invitation, it shall be accomplished by issuing an amendment to the invitation for bids in the form of an addendum. This amendment shall be given to every bidder to whom the invitation has been furnished.

- (b) A bidder may also request a clarification in the bid. In such situations the Procurement Unit shall respond if the request is received within a reasonable time (as specified in the invitation to bid) prior to the deadline for submission of bids. Such a response shall be sent out to all who have been furnished with the bidding document without revealing the source of the enquiry.
- (c) Before issuing an amendment to an invitation for bids, the time period remaining until bid opening and the need for extending this period must be considered. Where only seven (7) days before the time for bid opening, consideration should be given to an extension of time. Such notification must be included in the amendment.
- (d) No award shall be made on the invitation unless such amendment has been issued in sufficient time to permit all prospective bidders to consider such invitation in submitting or modifying their bids.

4.12 Postponement of Bid Opening

- (a) An amendment postponing bid openings may be issued:
 - (i) when the Procurement Officer has reason to believe that the bids of an important segment of bidders have been delayed due to acts beyond their control.
 - (ii) when unanticipated events interrupt the normal governmental process so that conducting the scheduled bid opening will not be practicable.
- (b) In such situations, the new opening date shall be advertised.

4.13 Cancellation of Invitation before Opening

- (a) Invitations for bids should not be canceled unless such cancellation is clearly in the public interest or where there is no longer a requirement for the supplies or services or where amendments to the invitation would be of such magnitude that a new invitation is desirable.
- (b) Where an invitation is canceled, bids which have been received shall be returned unopened to the bidders and a notice of cancellation shall be published in the same media as used for the invitation of bids sent to all prospective bidders to whom the invitation for bids were furnished.

4.14 Bid Submission, Opening and Recording

4.14.1 Bid Submission

- (a) Bids shall be submitted to the address in the Invitation for Bids not later than the exact date and time set for bid opening. Bids shall be submitted in the numbers specified in the invitation to bid and in sealed addressed envelopes.
- (b) All bids including all modifications received prior to the time of opening shall be kept secure and unopened in a tender box. Necessary precautions shall be taken to ensure that the tender box is kept secure.

- (c) Bids submitted after expiry of the deadline shall be declared late and shall not be considered; such bids shall be stamped -"late" and returned unopened to their respective bidders.
- (d) Generally, telegraphic or faxed bids shall not be accepted.

4.15 Opening of Bids

- (a) This must be done by a panel of at least four, in the presence of bidders' representatives who may wish to attend the opening.
- (b) The official designated as the Bid Opening Officer shall declare when the time set for the bid opening is due. He shall then personally and publicly open the tender box and subsequently open the bids received and read the prices etc. quoted aloud to all persons present and have these recorded.
- (c) The original of each bid shall be carefully safeguarded.

4.16 Recording of Bids

- (a) The Tender Opening Officer shall call out the prices etc. quoted which shall be recorded by the rest of the members of the opening panel, as well as bidders representatives present if they so wish. Also to be recorded are delivery periods provision of Bid Securities and samples (if these are required).
- (b) At the end of the bid opening, panel members shall append their signatures to the bid recording sheet.
- (c) Minutes of the bid opening must be prepared by the procurement officer and placed on the procurement file. Where it is a donor funded procurement, a copy of the minutes shall be forwarded to the donor agency.

4.17 Bid Samples

- (a) Samples should generally be requested for, if other methods of description are not feasible or adequate. Such samples must be submitted with the bids if required.
- (b) Where samples are required to be submitted by suppliers as a condition for qualification, inspection of such samples should be done by a joint team drawn from the Procurement unit, and the user Agencies. Samples submitted shall be stripped of any marks which may enable identifying them with their suppliers and thereafter coded before the inspection takes place; this is to prevent the possibility of bias in selection. The person who strips and codes the samples shall not participate in the inspection process and shall not disclose identification of the samples to the inspection team.

4.18 Late Bids

- (a) Bids received after the bid submission deadline shall not be eligible for consideration. Late bids shall be returned to the bidder(s) unopened.

4.19 Rejection of all Bids after Opening

- (a) After opening of bids under the competitive bidding system, it is prudent that an award be made to the lowest evaluated bidder unless there are valid reasons to reject all bids and cancel the invitation.

- (b) To prevent such an occurrence, every effort shall be made to anticipate changes in a requirement before bids are opened and to notify all prospective bidders of any resulting modification or cancellation to enable them change their bids accordingly before bids are opened.
- (c) Generally, an invitation for bids should not be cancelled due solely to an increase in requirements of items to be procured. In such situations an award should be made and the additional quantity treated as a new procurement or awarded to the successful bidder as a repeat order. Bids shall not be rejected solely for reasons to re-tender in order to obtain lower prices.
- (d) Invitation for bids shall be cancelled if, during evaluation, it is detected that all the requirements relating to availability and specifications have not been met by bidders.
- (e) Invitation for bids may be cancelled if during evaluation, it is detected that all the bids were not independently arrived at in open competition but that bidders colluded and submitted their bids in bad faith.
- (f) When it is determined that all bids be rejected, the Procurement Officer shall notify bidders.

4.20 Examination of Bids

- (a) Bids shall be subjected to preliminary examination to identify and eliminate those which are incomplete, invalid or substantially non responsive. The following are among the factors to be checked:
 - (i) eligibility: if the bidder falls within the countries eligible to bid or if the items to be supplied are from such countries;
 - (ii) completeness: whether the bid form has been signed and an appropriate bid security furnished (if required), in conformity with the bidding documents;
 - (iii) whether all items have been quoted for especially if the procurement is in the form of a package.
- (b) bids shall be determined as non-responsive if:
 - (i) a bid fails to meet the essential requirements of the invitation;
 - (ii) a bid does not meet the minimum bid specifications;
 - (iii) a bid substantially exceeds the required delivery schedule;
 - (iv) a bid imposes conditions which modifies requirements of the invitation, making it substantially different from what is required
 - (v) the price quoted is subject to adjustment when a fixed price is called for.

4.21 Minor Irregularities in Bids

- (a) A minor irregularity in any bid may be waived if it is merely a matter of form and will not result in any variation in price, quality, quantity, delivery or performance of services and whose correction or waiver would not be prejudicial to others and would not change the material content of the bid.
- (b) Where the purchaser is prepared to accept an alternative to the specifications this will be specified in the bidding document.
- (c) where there is discrepancy in the extension to the unit price, the unit price shall govern. All such errors should be corrected and the bidders notified. A bidder shall not be permitted to retain an arithmetical error in extension or totaling and correct the unit price.

4.22 Currency Conversion

- (a) Bid prices quoted in various currencies shall first be converted to a common base, the cedi or a convertible currency using the selling exchange rate established by the Bank of Ghana.

4.23 Evaluation and Comparison of Bids

- (i) The purchaser's evaluation of a bid will take into account, in addition to the bid price quoted, one or more of the following factors as specified in the bid document.
 - (a) cost of inland transportation, insurance and other cost within the purchaser's country incidental to delivering of the goods to their final destination;
 - (b) delivery schedule;
 - (c) deviation's in payment schedule from that specified in the bidding document;
 - (d) the cost of components, mandatory spare parts, and service;
 - (e) the availability in the Purchaser's country of spare parts and after-sales services for the equipment offered in the bid;
 - (f) the projected operating and maintenance costs during the cost of the equipment;
 - (g) the performance and productivity of the equipment offered;
 - (h) other specific criteria stated in the bidding document.

4.24 Incidental Services

- (a) A supplier may be required to provide services such as performance or supervision of on-site assembly, installation or start-up of the supplied goods, furnishing of tools for assembling, maintenance of goods or conduct of training for personnel.
- (b) Prices charged by the supplier for the preceding incidental services, if not included in the contract price shall be agreed upon in advance by the parties before awards

and shall not exceed the prevailing rates charged other parties by the supplier for similar services.

4.25 Price Adjustment

- (a) If bids are invited on prices subject to adjustment, the formula to be used must be specified in the bidding document.
- (b) Bids with adjustable prices shall be compared on the basis of the base excluding the price adjustment.
- (c) If such bid evaluation takes considerable time the Procurement Officer shall grant approval for the prices offered to be adjusted using the formula in the bidding document.
- (d) If in response to an invitation for bids subject to price adjustment, a bidder quotes a fixed price, no special consideration shall be given. The fixed price must be compared to other base prices subject to adjustment.

4.26 Contract Award, Monitoring, Expediting and Shipment

4.25.1 Recommendation for Award

- (a) After evaluation, the lowest evaluated bid shall be selected for award by the evaluation team within the time for acceptance of the bid. In the event of any difficulties which may delay award beyond the bidders' acceptance period, bidders should be requested before expiration of their bids to extend the bid validity period.

4.27 Post-qualification

- (a) After having selected the lowest evaluated bid, the bidders' qualifications in respect of technical competence past performance and other information deemed necessary shall be reviewed to ensure that the contract will be performed satisfactorily. Site inspections may be organized in the process of the review.
- (b) If the lowest evaluated bid fails to meet the qualification criteria, the test shall be applied to the next ranked bid.

4.28 Notification of Award

- (a) Once the lowest evaluated bidder is accepted, the contract is awarded by a notification and a formal contract drawn up to be signed by both parties. The Procurement Officer must prepare two (2) copies of a contract form for signature by the two parties.
- (b) The contract document shall clearly define the scope of work to be performed or the goods to be supplied and the rights and obligations of all the parties to the contract.
- (c) The contract document shall contain a clause instructing suppliers to forward an advance set documents comprising one original Bill of Lading, and copies of invoices (C61 and commercial), Clean Report Of Findings by the Inspection Agents, freight receipt and the packing list to reach the Procurement unit within 7 (seven) days of the date of shipment to facilitate clearing and prevent incurring

demurrage charges. As a rule, suppliers must transmit shipping details promptly to the Procurement unit as soon as known.

- (d) A vital step in achieving on time delivery is the insertion into the document, of a liquidated damages clause for late delivery. This clause may be invoked without prejudice to any other remedies under law open to the Buyer.
- (e) The procurement officer shall send to or invite suppliers/contractors to sign their portions of the contract forms in his office. The Contracts will then be forwarded to the appropriate official to sign his/her portion.
- (f) The supplier/contractor shall be served with one signed copy of the contract after the Minister or his representative has signed.
- (g) Within 30 days of award of contract the supplier/contractor will provide a performance security in the stipulated amount (if required).
- (h) After the contract is awarded, an amendment to or alteration of the bid by the supplier/contractor shall not be allowed.
- (i) All unsuccessful bidders should be notified once the contract has been awarded. Bid securities of unsuccessful bidders should be promptly returned after awards have been made; customized forms may be used (Appendix 4) to keep a record of all bid securities returned. The original copy shall be sent to the issuing Bank with a copy to the bidder and another copy retained on the procurement file.

4.29 Distribution of Signed Contracts

- (a) After the contract forms have been duly signed, by both supplier/contractor and purchaser, it shall be distributed together with copies of the Notification of Award as follows:
 - (i) one copy to the Supplier/Contractor,
 - (ii) one copy to the donor agency (if donor- funded);
 - (iii) one copy to the Accounts office for payment purposes.
 - (iv) one copy to the user (where applicable)
 - (iv) one copy placed on the procurement file.
- (b) Extra copies of the contract and notification shall be made by the Procurement Officer, attached to the sample form (Appendix 5), copies of which shall be placed on the procurement file for reference and distributed as follows:
 - (i) one copy to the Clearing section for preparation of IDF and facilitate expediting;
 - (ii) one copy to the Supply and Logistics section of the Agency/Directorate for notification and filing;

4.30 Performance Security

The requirement for a performance security shall be specified in the bidding document. If required, a performance security shall be a percentage of the contract price and shall be provided by the supplier/contractor within 30 days of receipt of contract.

A performance security shall be in the form specified in the bidding document.

4.31 Transportation

The mode of transportation and the place of destination shall be specified in the bidding document.

4.32 Insurance

Insurance requirements for goods and works shall be specified in the bidding document.

3.33 Payments

- (a) The method and conditions of payment to be made to the supplier/contractor shall conform to those set out in the bidding document.

Where a performance security is required, this must be provided by the supplier/contractor before any payment procedures are commenced.

- (b) Where letters of credit (L/C) need to be established, the Accounts Officer shall use copies of the signed contract form and IDF furnished by the Clearing section and apply to the bank for the necessary documentation.
- (c) When the bank establishes the L/C, the Project Officer (Accounts) shall notify the supplier about this using a customized form (Appendix 6) with copies to the Procurement, Clearing and Logistics Sections.
- (d) Where final payment is to be made after delivery of the items, the items must be checked and an acceptance certificate issued before authority is given for such payment to be made. For imported goods all payment should be supported by shipping documents.
- (e) Prices charged by the supplier for goods shall not, with the exception of any price adjustments authorized in the bidding document or contract, vary from the prices quoted by the supplier in his bid.
Payment for works contract will be made in the procedures specified in the particular contract.
- (f) Payment of the contract price shall be made in the currency of the bid.

4.34 Pre-shipment Inspection

In accordance with the Bank of Ghana import regulations, all imports/shipments in excess of US\$5,000.00 (five thousand United States dollars) CIF or its equivalent in any convertible currency shall be subject to pre-shipment inspection for quality, quantity and price. (Price inspection may be waived where prices were obtained through advertised competitive bidding).

4.35 Expediting

- (a) In order to ascertain the movement of the consignment and ensure timely arrival, the Procurement unit must be in close contact with the supplier. Expediting may be in the form of a simple phone call, a fax message or email.
- (b) Expediting of orders shall be undertaken mainly by the clearing/procurement officers. A determination of dates at which expediting would be done should be taken soon after L/C's have been established or advanced payment has been

made. A reasonable time may be fixed between the date of establishing the L/C or advanced payment and the time of delivery.

- (c) The Expediting Officer shall set up a reminder system whereby dates for expediting orders made shall be entered. Sample form (Appendix 7) is an example whereby records of various orders placed shall be entered and filed in chronological order and referred to every time. This record shall be updated as and when information is received on the orders and closed when delivery is completed.
- (d) For expediting, a customized letter of enquiry (Appendix 8) to the supplier on the status of orders made shall be used.
- (e) The Clearing and Forwarding Section shall submit periodic status reports on all outstanding orders. As part of the management information system, where additional information is required, a customized status form (Appendix 9) shall be used by the Procurement and Logistics sections to enquire from the Clearing section the status of a specific shipment.
- (f) Expediting for works contract will be the responsibility of the official charged with the supervision of the construction works

4.36 Clearing & Delivery and Post Delivery Considerations

4.36.1 Clearing and Delivery

- (a) Where the contract is awarded to a local supplier or foreign supplier on CIP (point of delivery), then delivery must be made by the supplier at the indicated place.
- (b) Where the award is on C&F/CIF basis, as soon as the shipping documents are received, the Clearing section shall make the necessary application for exemption from duty (if needed) or may go ahead and process the necessary documentation needed for clearing the goods. If this is done goods can be cleared from the Ports immediately they arrive.
- (c) When the advance shipping documents are received by the Clearing section, they shall with the aid of customized forms (Appendix 10) notify the procurement unit and the Supplies/Logistics to enable the latter make preparations to receive the goods.
- (d) Where the imports are on CRF basis, provision of insurance cover shall be the responsibility of the Procurement unit. Accordingly, upon receipt of shipping documents by the Procurement unit, these must be given to the clearing section which shall apply to a government approved insurance agent for the necessary provision of insurance cover.
- (e) When goods arrive at the port and clearing is in process, the Clearing section of Procurement unit shall be notified (Appendix 11) to make provision for the transporting, receipt, storage and distribution of the goods.
- (f) When cleared from the port the goods shall be delivered to the assigned stores where they shall be checked by the storekeeper or any other person nominated by the Director, Supply and Logistics for this purpose, for quality and quantity against the suppliers invoices. This information must then be

entered on the SRV which is completed in triplicate, and distributed as follows:

- (i) one copy to the Accounts section for payment;
- (ii) one copy to the Logistics section for a report on the condition of the goods received to be sent to the Procurement unit via a customised form (with copies to the Director General, GES and User Agency (Appendix 12));
- (iii) one copy, placed on the Stores files.

4.37 Warranty/Defects Liability Period

- (a) Where warranty is required to be given for items supplied works, the warranty period shall be calculated from the time of delivery (commissioning or installation) of the goods works or as specified in the contract documents.
- (b) During the warranty period the supplier/contractor shall compensate the UNIVERSITY OF GHANA for losses due to defects resulting from faulty design, materials and workmanship which become manifest.
- (c) The user shall notify the Procurement unit in case of any defect detected in any items supplied which are still under warranty. The Procurement unit shall in turn promptly notify the supplier in writing of any claims arising. The procurement unit may take such necessary action to claim compensation, at the supplier's expense, if a supplier fails to remedy the defect whilst the goods are still under warranty.

4.38 Defective Goods/Works

- (a) After goods procured have been delivered, if the user agency is not satisfied with the goods, because they are of sub-standard quality or otherwise do not meet the specifications as stated in the purchase contract, the Director, supplies and Logistics shall complete and issue a faulty purchases questionnaire (Appendix 13) to the procurement unit. This will provide the procurement unit with the necessary information to enable it re-assess the performance of supplier in question, as well as take such appropriate action as may be permitted in law or under the contract of purchase. The UNIVERSITY OF GHANA may, if required, forward a copy of this report to the donor for their information.
- (b) Reports (adverse or otherwise) shall be submitted by the Director, Supplies and Logistics on the quality of goods supplied to the UNIVERSITY OF GHANA/GES, copied to the procurement unit to enable them update their database on supplier and item information. Copies of such reports may be forwarded to the respective donor agency for their information, if required.

4.39 Unsatisfactory Suppliers/Contractors

- 4.38.1 Where goods delivered or works are found unsatisfactory, a report (Appendix 14) shall be submitted by the procurement unit to the Head of Agency. The supplier/contractor shall be informed of the complaint and the sanctions imposed.

- 4.38.2 The procurement officer shall open a file to hold records on all defaulting, poor or unsatisfactory suppliers/contractors. Such records shall include those suppliers/contractors who made very late deliveries, supplied sub standard goods (or defective goods/works).
- 4.38.3 Suppliers/Contractors who fail to deliver on time, or deliver sub-standard or poor quality goods /works not in accordance with specification or are otherwise in breach of their contracts of supply, shall have their records annotated as such and be removed from the approved suppliers/contractors database and duly notified accordingly.

CHAPTER 5

PROCUREMENT OF CONSULTANCY SERVICES

5.0 Introduction

This chapter covers the guidelines for the procurement of Consultancy Services. Consultancy services referred to herein are those of intellectual and advisory nature and can be differentiated from other physical or technical services such as operations and maintenance of equipment and facilities, surveys, and aerial photography.

5.1 Procurement Methods

The following procurement methods shall be used.

- (a) Competitive Bidding
- (b) Single Sourcing

5.2 Competitive Tendering

This is the most preferred method of selecting consultants. It ensures that all Consulting firms have an equal chance of being selected for any assignment. Competitive Bidding also provides for transparency and efficiency in procurement of services. Two main types of competitive bidding shall be used;

- (a) Competition on the basis of technical proposals only.
- (b) Competition on the basis of technical proposals and cost.

5.3 Preparation of a Short list

5.3.1 Competitive bidding shall be by way of requesting technical and financial proposals from a list of three (3) to six (6) firms or individuals. The short list should not mix individuals and firms for the same assignment.

5.3.2 The short list should be prepared from a UNIVERSITY OF GHANA/Procurement Unit Consultancy database or by contacting those with information on relevant consultants or by way of advertising to the public for expression of interest in the particular assignment.

5.4 Expression of Interest

8.4.1 For all large contracts above the threshold specified in Chapter 6, the University of Ghana or its colleges shall advertise in at least one national daily of wide circulation. The advert shall state the intention of University of Ghana to procure Consultancy services and to invite interested consultants to be considered for shortlisting for the intended assignment. A brief outline/background of the assignment shall also be stated in the advert.

8.4.2 Sufficient time of not less than 30 days shall be provided for responses, after which a short-list shall be prepared.

5.5 Request for Proposals

5.5.1 The short-listed firms or individuals shall be invited to submit proposals on the basis of a Letter of Invitation and Terms of Reference of the particular assignment.

- 5.5.2 The proposals shall be evaluated on the basis of information provided in the Request for Proposals.

5.6 Single Sourcing

- 5.6.1 Single source does not provide the benefits of competition with regard to quality and cost. It also lacks transparency. Therefore Single Sourcing should be only used in exceptional cases.
- 5.6.2 Single Sourcing may be appropriate only if it presents a clear advantage over competition and specifically in the following instances;
- (a) If the assignment is a natural continuation of a previous work carried out by the specific firm.
 - (b) In cases of emergency or national disaster where rapid selection is essential.
 - (c) In situations where only one firm is qualified or has the experience of exceptional worth for the assignment.

- 5.6.3.1 Use of Single Sourcing must be approved by the Procurement and Tender Committee.

5.7 The Competitive Selection Process

- 5.7.1 The selection process shall include the following steps:
- (a) Preparation of Cost Estimates and Budget;
 - (b) Preparation and issuance of the Letter of Invitation (LOI)
 - (c) Preparation of Terms of Reference (TOR);
 - (d) Advertising for Request of Expression of Interest (if required);
 - (e) Preparation of the short list of consultants;
 - (f) Preparation of Request for Proposals (including the Terms of Reference);
 - (g) Evaluation of technical proposals and quality consideration;
 - (h) Seeking approval of technical evaluation report;
 - (h) Opening and Evaluation of financial proposals;
 - (i) Selection of a consultant and
 - (j) Negotiations and award of the contract.

5.8 Terms of Reference (TOR)

TOR shall define the objective, scope of services, employer's inputs and available data and consultants output. Consulting firms may comment on the TOR and offer suggestions for consideration.

5.9. Preparation of Cost Estimates and Budget

After preparation of the TOR, the procuring agency shall prepare Cost Estimates of the assignment. The Cost Estimates shall include the staff cost and other reimbursable expenses. The Cost Estimate should enable the Procurement Entity to determine the availability of funding and the procurement method required.

5.10 Letter of Invitation (LOI)

LOI shall state the intention of University of Ghana and the Agency to enter into a contract for the provision of consulting services, the source of the funds, the details of the client, the background and the nature of the contract, and the date by which the services are required shall be stated. The LOI shall also state mode of submission of proposals, the address to which the proposals will be submitted and an indication of other firms invited and the criteria for evaluation. The University of Ghana shall also include the Terms of Reference and Information to Consultants (ITC) and criteria for contract award.

Information to Consultants (ITC) shall contain all necessary information that will help the consultants prepare responsive proposals and shall ensure enough transparency as much as possible to the selection procedure by providing adequate information on the evaluation process and criteria for contract award.

5.11 Submission of Proposals

5.11.1 The time allowed for submission of proposals shall depend on the nature of the assignment, but shall not be less than two weeks. The University of Ghana or Procurement Entity shall allow enough time for consultants to prepare and submit their proposals. If necessary, UG shall extend the deadline for submission of proposals.

5.11.2 No amendments to the technical or financial proposals shall be accepted after the deadline for submission of proposals.

5.12 Evaluation of Proposals

Depending on the nature and size of the assignment the following methods of evaluation may be used:

5.12.1 Quality and Cost Based Selection (QCBS)

- (a) QCBS is a competitive method of combining quality and cost of services in the selection of the firms. The relative weight to be given to quality and cost shall be determined for each case depending on the nature of the assignment. However, cost, as a factor of selection shall be used judiciously.
- (b) The total score shall be obtained by weighting the quality and cost score and adding them together. The weight assigned to the cost and price shall be determined by the relative importance of quality in the assignment.
- (c) In any case, the weight of cost shall range between 10 to 50 points out of 100.
- (d) The technical proposals shall be evaluated taking into account several factors but including the following;
 - (i) the consultant's experience (10 to 20 Points)
 - (ii) the quality of methodology (20 to 50 Points)
 - (iii) the key professional staff (30 to 60 Points)
 - (iv) transfer of knowledge & skills (0 to 20 Points)
 - (v) Local participation (0 to 10 Points)

5.13 Least Cost Selection (LCS)

- (a) LCS method places high emphasis on cost. This method is more appropriate to the selection of consultants for assignment of a standard or routine nature where well-established practices and standards exist.
- (b) Where technical and financial proposals are required proposals shall be submitted in two sealed envelopes, one for technical proposals and the other for financial proposals. The technical proposals shall be submitted unmarked.
- (c) The technical proposals shall be opened first and evaluated. Those firms securing less than the pass score specified in the LOI shall be rejected and their financial proposals returned unopened.
- (d) Firms that obtain the pass score shall have their financial proposals opened in the presence of the shorted listed firms that may wish to attend.
- (e) The firms scoring the highest score in accordance with the criteria specified in the LOI shall be invited to negotiate the contract.

5.14 Quality Based Selection (QBS)

The main factor in QBS is one of quality. This is appropriate for the following types of assignments;

- (a) complex and / or highly specialized assignment for which it is difficult to define a precise TOR and the consultant is expected to demonstrate innovation in the proposal.
- (b) assignment for which the objective demands the procurement of the best in the field (e.g. Dams, Economic Policy Studies, Management advice.)
- (c) assignments that can be done in substantially different ways.
- (d) Firms scoring the highest score on the technical proposals (provided the score is above the pass mark) shall be invited to negotiate a contract.

5.15 Selection Based on Consultant's Qualification

This method is appropriate only for assignments for which the need for preparing and evaluating competitive proposals is not justified.

- (a) In such cases, the University of Ghana (or Centre) shall prepare the TOR, request for expression of interests and information on Consultants experience and competence relevant to the assignment.
- (b) A short list shall then be established and the firm with the best qualification and references shall be selected.
- (c) The selected firm shall be asked to submit a combined technical and financial proposal and then be invited to negotiate the contract.

5.16 Negotiation of Contract

- (a) Negotiation is expected to ensure agreement on all points and to end in a contract. Negotiation shall include discussions on the technical proposals, the proposed methodology (Work Plan), staffing and any suggestions that may be made by the firm to improve the TOR. The University of

Ghana/Procurement Unit and the firm shall then work out the final TOR, staffing, scheduling of work and clarify (if any) all financial negotiations like tax and mode of payment. Major reductions in work input should not be made solely to meet the budget. The final TOR and the agreed methodology shall be incorporated in the contract.

- (b) The selected firm should not be allowed to substitute key staff, unless both parties agree that undue delay in the selection process makes such substitution unavoidable or that such changes are critical to meet the objectives of the assignment
- (c) Where the selection process requested for financial proposals the negotiations shall not include rates proposed by the firm.

5.17 Award of Contract

After conclusion of negotiation the contract may then be awarded. The UG Procurement Unit shall promptly notify other consultants on the short list that they were unsuccessful.

The successful firm is expected to commence the assignment on the date and at the location specified in the contract.

5.18 Consultant Data Bank

The WAGMC shall establish and maintain a data base on all consulting firms that deal with the Centre.

5.19 Performance Rating

On completion of the contract the consultant's performance will be assessed to determine if his /her work has been satisfactory. The consultant's name shall be maintained on the consultant's data bank kept by the procurement unit if performance is found to be satisfactory or otherwise deleted from the database and will not be considered for any future contract.

CHAPTER 6

RESPONSIBILITIES AND THRESHOLDS

6.0 Responsibilities

6.1 The following are designated and shall be recognized as Heads of Entity:

- The Vice-Chancellor of the University of Ghana
- Director of WAGMC
- Provost of the College of Health Sciences

6.1 Role of Evaluation Panel

- (i) Every procurement entity must empanel an evaluation team to evaluate bids received. This is ad hoc in nature.
- (ii) The role of the Tender review committee is not to evaluate. The evaluation panel sends the evaluation report to the Procurement & Tender Committee through the Head of Entity, for adjudication.

6.2 Thresholds

(i) Goods and Works

The thresholds for the procurement of goods and works are as follows (unless otherwise indicated in a particular grant agreement)

Shopping	-	<100,000 Ghana Cedis (for Goods)
	-	<150,000 Ghana Cedis (for Works)
	-	<50,000 Ghana Cedis (for Technical Services)
NCT	:	Over 100,000 – 10,000,000 Ghana Cedis (For Goods) Over 150,000 – 15,000,000 Ghana Cedis (For Works) Over 50,000–5,000,000 Ghana Cedis(for Technical Services)
ICT	:	Over 10,000,000 Ghana Cedis (For Goods) Over 15,000,000 Ghana Cedis (For Works) Over 5,000,000 Ghana Cedis (for Technical Services)

6.2.2 Consultancy Services

The thresholds for the procurement of consultancy services are:

Shotlisting through advertisement for expression or interest	:	Over 100,000 Ghana Cedis
Shortlisting from consultants data bank	:	Up to 100,000 Ghana Cedis

6.3 Approval Authorities

The level of approval authorities is as follows:

Head of Entity	:	100,000 Ghana Cedis (For goods) 150,000 Ghana Cedis (For works) 100,000 Ghana Cedis (Services)
Super Head of Entity (Vice-Chancellor):	:	100,000 – 800,000 Ghana Cedis (for goods) 150,000 – 1,500,000 Ghana Cedis (for works)

100,000–800,000 Ghana Cedis (for services)

Procurement & Tender Committee : 100,000 – 800,000 Ghana Cedis (For goods)
150,000 – 1,500,000 Ghana Cedis (For works)
100,000– 800,000 Ghana Cedis (For consultancy)

Central Tender Review Board : Over 800,000 Ghana Cedis (For goods)
Over 1,500,000 Ghana Cedis (For works)
Over 800,000 Ghana Cedis (For services)

CHAPTER 7

PROCEDURES ON RECEIPT, ISSUE AND DISPOSAL OF STORES

7.0 Introduction

This chapter deals with receipt, issue, and disposal of stores in the UNIVERSITY OF GHANA and its agencies. These procedures are meant to ensure consistency, efficiency, effectiveness and transparency in the management of stores.

7.1 Receipt of Stores:

7.1.2 Upon delivery of stores, the storekeeper or stockholder shall check it for quality and quantity against the purchase order.

7.1.3 If the storekeeper or stockholder is satisfied he shall record the information in the Stores Receipt Voucher (SRV). The storekeeper or stockholder shall also receive the supplier's invoice and way bill covering the goods delivered and together with copies of the SRV, and distribute as follows;

- (a) Original to the Accounts Section for payment to be effected.
- (b) The second copy shall be forwarded to the Head of the user agency with a report on the condition of the goods delivered to enable the agency close its procurement file.
- (c) The third copy shall be sent to the Procurement Unit.
- (d) The fourth copy shall be sent to the logistics and inspection sections.
- (e) The last copy would be maintained by the storekeeper or the stockholder on his file.

7.2.3 In cases of non- delivery, damage, shortages or excess deliveries, the storekeeper shall prepare a report and distribute as in 10.2.2 above.

7.3 Accountability of Stores

The Heads of Entities shall be accountable for the proper care, custody and use of public supplies and equipment from the time of acquisition until they have been used or otherwise disposed of in accordance with these procedures.

7.4 Issue of Stores

Where stores are being issued out for public use, the storekeeper or stockholder shall satisfy himself;

7.4.1 That the requisition has been signed by an officer authorized to do so;

7.4.2 The requisition is made within the limit of normal supply in that;

- (a) The supplies are not intended for the build-up of unauthorized stock at the operating level.
- (b) Quantities are within the limit of the original supply programme or have been otherwise pre-arranged.

7.4.2 The stockholder may reduce the requisition or offer suitable alternatives or shall advise otherwise, if he is not satisfied with the requisition, or if the requisition is likely to deplete his stock he may defer the issue until he has secured replenishment.

7.5 Disposal of Stores

7.5.1 When stock becomes obsolete, redundant, unserviceable or surplus to requirements, the items should be disposed of in an orderly and systematic fashion as below.

7.5.2 An effective disposal policy ensures transparency in the process, protects the organization from possible fraud or wastage, and releases both warehouse space and money otherwise locked up in the stocks for further use.

7.5.3 Heads of Entities shall arrange for periodic surveys at six months intervals of all stocks and equipment held by their departments/units to ascertain whether any item have become surplus, obsolete, or unserviceable to requirement.

7.5.4 Equipment becoming permanently unserviceable or reaching a state in which it cannot be used economically or safely shall be taken out of use and placed in secure custody.

- (a) There is a University of Ghana Board of Survey chaired by the Director of Finance and shall always include members of beneficiary department/units.

7.5.5 The reasons for any item becoming surplus, obsolete or unserviceable shall be explained in the report of the Board of Survey.

7.5.6 The Report of the Board of Survey shall be submitted to the Head of Entity.

7.5.7 Upon receipt of the report the Head of Entity shall instruct the Procurement Unit to supervise the disposal of the equipment(s) or supplies in accordance with the recommendations of the Board of Survey.

7.5.8 The Procurement Unit shall supervise the disposal in any of the following ways;

- (a) Transfer to other government departments with or without financial adjustment as may be directed.
- (b) Negotiate with supplier on a return price.
- (c) Sale by Public Tender
- (d) Sale by Public Auction
- (e) Disposal by dismantling and use as spares for other government properties.
- (f) Dumping and destruction