



STATE GOVERNMENT OF OSUN PUBLIC PROCUREMENT AGENCY

All Correspondence should be
Addressed to the General Manager

Office of the Governor,
State Secretariat, Gbongan Road,
P.M.B. 4417 Osogbo,
State of Osun.

PPA.116/72

17th September, 2020

Our Ref: _____

Your Ref: _____

Date: _____

SUPPORTING SMALL & MEDIUM SCALE ENTERPRISES (SMEs) DURING THIS COVID-19 ERA AND OTHER EMERGENCY SITUATIONS

In view of the prevalent circumstances occasioned by the outbreak of the deadly Coronavirus (Covid-19) pandemic, the State Government of Osun, in its desire to support and encourage participation of small and medium enterprises (SMEs) for timely and efficient procurement of urgently needed goods and services for COVID-19 and other emergency situations, has through the Osun Public Procurement Agency issued the following Emergency Procurement Guidelines:

- a). The Bidding documents/Request for Quotation which hitherto had exclusively been in paper form and obtained through the physical appearance of intending Bidders at the Agency shall henceforth be made available in an electronic form to be downloaded from the Public Procurement Agency/State website;
- b). Submission of bids/proposals/quotations which hitherto had exclusively been through the physical presence of intending Bidders at the Agency shall henceforth be allowed through electronic means in addition to physical submission;
- c). Evaluation of bids/proposal/quotations which had always been done, physically prior to the outbreak of the COVID-19 pandemic shall henceforth be done virtually;
- d). Execution/signing of contract agreements which hitherto had been done physically shall henceforth allowed for virtual meetings and electronic signing taken into consideration the overall safety and health/wellbeing of all Participants. This policy shall guide any future emergency as well as current Covid-19 pandemic;

- e). The strict requirement of the Bid Security from intending bidders is hereby relaxed. In its stead, the Bid Securing Declaration shall henceforth be allowed. Furthermore, the submission of Performance Bond Declaration in place of Bank Performance Guarantee and Advance Payment Declaration Form instead of Advance Payment Guarantee shall henceforth be allowed.
- f). Scanned copies of financial security shall henceforth be accepted;
- g). There shall be an extension of the time allowed for bid submission deadline on on-going Bidding and complex contracts by additional 10 working days from the mandatory 21 working days;
- h). There shall be an easy application of the legal principle of Force Majeure. Any requirement of the use of Force Majeure shall take into consideration the critical review of the contract which shall be done by legal Advisers to all parties, consider the business continuity plan put in place for the project, ensure all steps put in place to mitigate consequences has been thoroughly utilised and all alternative means of executing the contractual obligation has been explored. In addition, the Agency shall ensure extensive notice requirement as agreed within the contract has been fully complied with while evaluation of the effects of the invocation of force majeure on the contract has been extensively considered in the light of the pandemic and future emergency
- i). The qualification criteria for example, average annual turnover, cash flow and number of specific contract experience are hereby relaxed. Accordingly, average weighting attached to this in the overall ranking of success factor is now down by 50%.
- j). The requirement of performance security is hereby waived for all contract below N5m;
- k). The advance payment by a Procuring Entity is hereby increased up to 40% of the contract price;

- l). There shall be constant dissemination of all bidding opportunities to the relevant trade groups in the State, for example, the Nigeria Association of Small and Medium Enterprises and other similar bodies; and
- m). Fresh Registrations and Renewal for Works, Supply and Consulting Services shall now be done at 50% of registration and annual subscription amount for all SMEs

Dated Today 17 September, 2020

Signed



Bello Adegboyega Basheer
GM/Chief Executive



Bola Oyebamiji
Chairman, Governing Council & Honourable Commissioner for Finance