

# **The Public Procurement and Disposal of Public Assets Guidelines**

*Guidelines issued by the Public Procurement and Disposal of  
Public Assets Authority under section 97 of the Public  
Procurement and Disposal of Public Assets Act 2003, Act No. 1  
of 2003*

**Details covered in these guidelines:**

<b>Guideline Subject:</b>	<b>Pre-Bid Meetings</b>
<b>Guideline Reference:</b>	<b>2/2005</b>
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*Guidelines are distributed to all Accounting Officers who are responsible for distributing copies of these Guidelines to at least the Chairpersons of the Contracts Committee and the Head of the Procurement and Disposal Unit of the Procuring and Disposing Entity.*

**Guideline Subject:                    Pre-Bid Meetings**

Procuring and disposing entities are required to hold pre-bid meetings to allow potential bidders to seek clarification or access to project sites where applicable in accordance with Regulation 149 of the Public Procurement and Disposal of Public Assets Regulations, 2003 SI No. 70 of 2003. The requirements that each entity should follow for pre-bid meetings are detailed below:

**1. Solicitation documents**

1.1 The details of the venue, time and procedures of the pre-bid meeting shall be included in the solicitation documents or sent to all the bidders who purchased or were issued with the solicitation documents.

1.2 Where attendance at a pre-bid meeting is compulsory for all bidders, notice to this effect shall be included in the solicitation document and any bid notice. However, the rejection of an eligible and responsive bid solely on the ground of non attendance of the compulsory pre-bid meeting shall be done only in exceptional circumstances.

1.3 Where the solicitation document provides for a pre-bid meeting, these guidelines shall be issued to all bidders as part of the solicitation document.

1.4 The solicitation document should provide a clear and complete statement of requirements that provides a satisfactory basis for bidders to prepare their bids. The essential purpose of the pre-bid meeting is to provide an opportunity for clarification, and shall not be used solely for the purpose of introducing new requirements that were not included in the solicitation document.

**2. Criteria for pre-bid meetings**

2.1 Procuring and disposing entities shall hold pre-bid meetings for procurements involving high-value and complex tenders falling within the following thresholds-

(a) For goods and supplies above 140 million Uganda shillings.

(b) For services above 100 million Uganda shillings

(c) For works above 200 million Uganda shillings

2.2 Pre-bid meetings may also be held for procurement of requirements where open domestic bidding or open international bidding is used as the procurement method and where the goods, services or works are not procured on a regular basis.

2.3 Pre-bid meetings shall not normally be held for procurement of common-user items or other regularly-procured items.

**3. Notification of bidders**

3.1 Potential bidders shall be given sufficient notice of the pre-bid meeting to offer a reasonable opportunity for them to attend and the notice period shall be extended under international methods of procurement to allow bidders who are not resident in the country, reasonable opportunity to attend the pre-bid meeting.

3.2 Sufficient time shall be allowed between the pre-bid meeting and the deadline for bidding to enable the bidder to take any additional information into account in preparing the bid.

**4. Procedure for pre-bid meetings**

4.1 A pre-bid meeting shall be managed by the procurement and disposal unit, assisted as may be required by staff of the procuring and disposing entity and shall be witnessed by a member of the contracts committee.

4.2 A copy of these guidelines shall be issued to all bidders present at the pre-bid meeting.

4.3 A bidder's representative who attends the pre-bid meeting shall sign the register of attendance to confirm their attendance and shall indicate their names and the bidder they represent.

4.4 Minutes shall be recorded for all pre-bid meetings using PP Form 33 in the Ninth Schedule of the Public Procurement and Disposal of Public Assets Regulations, 2003 SI No. 70 of 2003. Copies of the minutes shall be provided to all bidders who purchased or were issued the bidding documents;

4.5 Where bidders have been asked by the procuring and disposing entity to submit their questions for clarification in advance of the pre-bid meeting; written responses to these questions shall be circulated to all bidders present at the pre-bid meeting as well as all those who purchased the solicitation document or were issued the solicitation document; and

4.6 Where the solicitation document provides for access or visits to a project site by the bidders, the procuring and disposing entity shall be responsible for the administrative arrangements to enable the bidders to access or visit the site and the procedure for pre-bid meetings shall apply to the site visits.

**5. Response to clarifications at the pre-bid meeting**

5.1 Where requests for clarification are submitted by bidders in advance of the pre-bid meeting, the procuring and disposing entity shall provide a response to the clarifications in writing at the pre-bid meeting or may be circulated after the pre-bid meeting. In any case, the response shall be sent to all the bidders who obtained the solicitation documents directly from the procuring and disposing entity or were issued with the solicitation document.

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5.2 At any time prior to the deadline for submission of bids, the procuring and disposing entity may, in response to a request for clarification from a bidder at a pre-bid meeting, amend the solicitation documents by issuing an addendum.

### **6. Review of the response of a procuring and disposing entity**

6.1 A bidder who is not satisfied with the response provided to a request for clarification at a pre-bid meeting, may refer the matter to the Accounting Officer for review of the decision.

6.2 A bidder may further refer the matter to the Authority for review, if the bidder is not satisfied with the decision of the Accounting Officer or is of the opinion that the procurement process is not being conducted in a fair and equitable manner.

### **7. Extension of bidding period**

7.1 To give bidders reasonable time in which to take a response or addendum into account when preparing their bids, procuring and disposing entities shall, where less than one third of the bidding period remains, extend the deadline for the submission of bids by a reasonable period; where more than one third of the bidding period remains, the procuring and disposing entity may also, at its discretion, extend the deadline for the submission of bids.

7.2 Procuring and disposing entities shall also extend the bidding period where the response provided to a request for clarification provided is contested by a bidder and has been submitted to the Accounting Officer or the Authority for review.

**Signed:**

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**Chairman of the Board of Directors                      Executive Director of the Authority**

**Public Procurement and Disposal of Public Assets Authority**