

University of Cape Coast



Africa Centre of Excellence in Coastal Resilience (ACECoR)

Procurement Manual



Association of
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WORLD BANK GROUP



GHANA



UNIVERSITY OF
CAPE COAST



ACECoR
AFRICA CENTRE OF EXCELLENCE IN
COASTAL RESILIENCE

Preamble

The University of Cape Coast has received funds from the World Bank towards implementation of Africa Center of Excellence (ACE III) Impact Project. The specific objectives of ACECoR are to: (i) establish post-graduate programmes in Coastal and Marine Engineering, Physical Oceanography, Marine Meteorology, Forestry Engineering, Disaster Risk Management and Migration and tailor-made short courses to augment existing programmes; (ii) provide Smart Classrooms with state-of the art facilities including science laboratories with equipment to promote research and deliver trainings; (iii) provide incentives for faculty through international exchange programme and in-service training for career development; (iv) enhance capabilities of young African scholars in the areas of marine and coastal research; (v) provide demand-driven applied research data for relevant industries and sectors in the areas of Coastal Geomorphology and Engineering, Climate Change Adaptation and Mitigation, Disaster Risk Management and Migration, Ecosystems and Biodiversity Science and Blue Economy, Governance and Social resilience; (vi) develop regional data support systems on marine and coastal issues (vii) create multi-sectoral networks for marine and coastal for integrated approach to resolving coastal degradation in West Africa; (viii) provide placements for selected students and lecturers to attend conferences, workshops to upgrade their skills; (ix) develop technical reports and policy briefs to inform decision making on coastal degradation issues.

The University has prepared this manual specifically for the ACECoR project to be used as reference point for procurement activities covered by the project.

Objectives of the Manual

The objective of the Manual is to facilitate the processes of procurement under the ACECoR project and to ensure that procurement is carried out in the best interest of the University. In line with the Public Procurement Act the manual is to:

- ☐ to ensure judicious, economic and efficient use of state resources in public procurement,

- ☐ to ensure that public procurement is carried out in a fair, transparent and non-discriminatory manner and
- ☐ to achieve sustainability environmentally and socially.

Acts Backing the Procurement Manual

The University's procurement is regulated by

1. Public Procurement Act, 2003 (Act 663)
2. Public Procurement Amendment Act, 2016 (Act 914)

Responsibility of officers Undertaking Procurement for the Project

1. The Vice-Chancellor (VC) is responsible and accountable for actions taken and for instructions as regards the implementation of the Procurement procedures under the project. The Vice-Chancellor (VC) may delegate the above responsibility to the Project Director.
2. The Vice-Chancellor (VC) and/or any officer to whom responsibility is delegated shall ensure that provisions of the Procurement Act are complied with.
3. The concurrent approval by a tender review committee shall not absolve the Vice-Chancellor or the Project Director from accountability for a contract that may be determined to have been procured in a manner that is inconsistent with a provision of the Public Procurement Act.

Vice-Chancellor

The Vice-chancellor shall undertake the following responsibilities in relation to procurement activities under the project.

1. Consider requests from the Project Director, approve and refer same to the Procurement officer for appropriate processing

2. Review and approve recommendations for contract awards within his threshold which is submitted by the Procurement Unit
3. Constitute an evaluation panel with the relevant expertise to evaluate tenders
4. Consider and review decisions on complaints submitted by tenderers under Section 79 of the Public Procurement Act
5. Serve as chairman of the University's Tender Committee
6. Sign award letters and contracts on behalf of the University.
7. For Contracts above the Vice-Chancellor's threshold, he shall, in consultation with the Procurement officer, review all documentations and decisions related to the contract and submit the recommendations for approval by the University's Tender Committee.
8. Appoint contract administrators and constitute contract management teams in consultation with the Procurement Officer and the Project Director
9. Ensure that the Project procurement plan is considered and approved by the University's Tender Committee.

Where the Vice-Chancellor has a conflict of interest in any submission, he shall declare his interest in the submission and refer it to the officer to whom authority has been delegated for a decision.

In the absence of the Vice-Chancellor, he may delegate the Pro Vice-Chancellor to perform these responsibilities.

Procurement officer

The Procurement officer with the help of the Procurement Unit staff, shall undertake the following responsibilities in relation to procurement activities under the project.

1. Prepare Procurement plans for each implementation year in consultation with the Project Director
2. Receive procurement requests from the Project Director through the Vice-Chancellor, check that the proposed procurement is within the approved

procurement plan, and that budgeted funds are available prior to commencement of procurement proceedings;

3. Co-ordinate the preparation of specifications, terms of reference, bills of quantities, drawings, short-lists or advertisements, and prequalification, tender or request for quotation documents.
4. Arrange the publication of advertisements and notices of contract award;
5. Co-ordinate the process of opening of tenders and ensure the preparation of formal records of tender opening
6. Participate in evaluation activities of the Tender Evaluation Panel and assist in preparation of formal Evaluation reports;
7. Prepare submissions for approval of recommendations for award by the University's Tender Committee.
8. Prepare notification of award of contracts and arrange publication of notices of contract awards
9. Prepare contract documents and Purchase Orders, in line with the award decision and notify unsuccessful tenderers
10. Maintain procurement records in accordance with Section 28 of the Procurement Act

Project Director

The Project Director shall undertake the following responsibilities in relation to procurement activities under the project.

1. Determine the requirements needed under the project in reference to the approved budget and ensure that the requirement for procurement is justified by the needs of the Project
2. Write to the Vice-Chancellor about requests for procurement in line with the approved procurement plan
3. Prepare the initial specifications and participate in the preparation of detailed specifications for procurement requirements

4. Participate in the evaluation of tenders or nominate an officer with the required expertise to represent him on the evaluation panel
5. Inspect or cause to be inspected goods or equipment received at the Central Stores and certify that they meet specifications and are exactly what were requested for.
6. Ensure that equipment and other assets procured are recorded in the assets register and formally assigned to responsible officers
7. Nominate representatives to serve on contract management teams

University Central Stores

The Central Stores of the University shall undertake the following responsibilities in relation to procurement activities under the project.

1. Receive goods as per contract letters and purchase orders issued and compare the waybills and invoices with details on the purchase orders or contract letters.
2. Ensure that goods received are recorded in the appropriate documents such as stores receipt vouchers, goods receipt inwards books, tally cards etc
3. Ensure the goods received are well kept in the appropriate stores pending requisition by the project office
4. Notify Procurement unit promptly on any anomaly in the goods received.
5. Notify the Project Office upon receipt of goods so that the Project Director will arrange for inspection and collection of the item.

Procurement Approval Thresholds

The thresholds for procurement approvals for the project shall be as contained in schedule 2 category C of the Public Procurement Amendment Act, Act 914 of 2016.

Approval Authority	Goods GH¢	Works GH¢	Services GH¢
Vice-Chancellor	Up to 100,000.00	Up to 150,000.00	Up to 100,000.00
University Tender Committee	Above 100,000.00 up to 800,000.00	Above 150,000.00 up to 1,500,000.00	Above 100,000.00 up to 800,000.00
Central Tender Review Committee	Above 800,000.00	Above 1,500,000.00	Above 800,000.00

Procurement Method Thresholds

The thresholds for procurement methods for the project shall be as contained in schedule 5 of the Public Procurement Amendment Act, Act 914 of 2016.

Procurement Method	Contract Values GH¢
Price Quotation	
a. Goods	Up to 100,000.00
b. Works	Up to 200,000.00
c. Technical Services	Up to 50,000.00
National Competitive Tender	
a. Goods	Above 100,000.00 up to 10,000,000.00
b. Works	Above 200,000.00 up to 15,000,000.00
c. Technical Services	Above 50,000.00 up to 5,000,000.00
International Competitive Tender	
a. Goods	Above 10,000,000.00
b. Works	Above 15,000,000.00
c. Technical Services	Above 5,000,000.00
Restricted Tender	Any amount subject to approval by the Public Procurement Authority
Single Source	Any amount subject to approval by the Public Procurement Authority
Consultancy Services	Mandatory use of expression of interest except single source for consultancy service

Procedures for Procurement of goods

1. Project Director initiates the procurement process in line with the approved budget and the approved Procurement Plan
2. Project Director writes to the Vice-Chancellor for approval to procure goods, service or works with initial specifications
3. Vice-Chancellor reviews the request and authorizes the Procurement Unit to initiate the procurement process.
4. Procurement Officer clarifies the request with the Project Director if required and proceed to prepare detailed specifications in consultation with the Project Director or his representative and the relevant technical person.
5. If the request falls within **price quotation**, the Procurement Unit shall invite quotations using the standard document for request for quotations from at least three suppliers/consultants/contractors as per the University's supplier data base.
6. The University shall receive the quotations from the Suppliers/Consultants/Contractors and the Evaluation Panel shall evaluate and make recommendations for consideration by the Vice-Chancellor.
7. If the request falls within **National Competitive Tender**, the Procurement Unit shall prepare tender documents and advertise the requirements in at least two(2) widely circulated newspapers, preferably the Daily Graphic and the Ghanaian Times. The advertisement shall be made for at least two(2) weeks and not more than four(4) weeks.
8. If the request falls within **International Competitive Tender**, the Procurement Unit shall prepare tender documents and advertise the requirements in at least two(2) widely circulated newspapers. The University shall also publish on the Public Procurement Authority's website and in an international bulletin or write to all embassies in Ghana notifying them about the procurement. The advertisement shall be made for six(6) weeks in accordance with Act 914.
9. The University receives tenders and open them formally in line with the Act 914.

10. Vice-Chancellor appoints an evaluation panel to consider the tenders and make recommendations in the form of standard evaluation reports to the University's Tender Committee for consideration.
11. After approval, the Vice-Chancellor awards the contract to the successful tenderer with inputs/draft from the Procurement Unit and the Legal Section.
12. Successful Tenderer submits a performance guarantee of 10% of the contract price which is issued by a reputable Bank in Ghana and signs a formal contract with the University. The Vice-Chancellor and the Project Director shall sign the contract on behalf of the University.
13. Vice-Chancellor appoints contract administrator and constitutes a contract management team to manage the contract.
14. Supplier/Contractor/Consultant delivers the goods, works or services as per the delivery terms of the contract.

University Tender Committee

The Tender Committee of the University shall meet regularly or as and when needed to consider requests relating to the ACECoR project. The Tender Committee in line with the requirements under the Public Procurement Act, Act 914 of 2016 shall have the following as its members;

- | | |
|--|-----------|
| 1. Vice-Chancellor | Chairman |
| 2. Registrar | Member |
| 3. Director of Finance | Member |
| 4. Three Heads of Depts(user Dept inclusive) | Member |
| 5. Lawyer | Member |
| 6. A member of a professional body | Member |
| 7. A representative from NCTE | Member |
| 8. Procurement officer | Secretary |

The Tender Committee shall, through the Vice-Chancellor, refer any procurement above its threshold to the Central Tender Review Committee for concurrent approval.

Single Source Procurement

As much as possible, contracts with the ACECoR project must be carried out in a competitive manner. Single source Procurement shall be carried out only under the following exceptional circumstances.

- a. where goods, works or services are only available from a particular supplier or contractor, or if a particular supplier or contractor has exclusive rights in respect of the goods, works or services, and no reasonable alternative or substitute exists;
- b. where there is an urgent need for the goods, works or services and engaging in tender proceedings or any other method of procurement is impractical due to unforeseeable circumstances giving rise to the urgency which is not the result of dilatory conduct on the part of the Project Office or the University;
- c. where the University has procured goods, equipment, technology or services from a supplier or contractor and determines that additional supplies need to be procured from that supplier or contractor because of standardisation; compatibility, limited size.

Procedure for single-source procurement

- The University may procure the goods, works or technical services by inviting a proposal or price quotation from a single supplier or contractor under section 40 of the Public Procurement Act.
- The Vice-Chancellor shall write to seek approval from the Public Procurement Authority with justifiable reasons and the quotation and other relevant documentations from the supplier.
- If approved, the University may enter into a procurement contract with the supplier/contractor or consultant

Restricted Tender

Restricted tender shall also be used only under exceptional circumstances, most of which are similar to those outlined under single source procurement above. The

difference is in the selection of 3 to 6 suppliers under restricted tendering instead of a single supplier.

Code of Ethics

All staff involved in the procurement process shall follow some code of ethics. The Procurement staff shall not;

- a. Reveal confidential or “inside information” either directly or indirectly to any tenderer or prospective tenderer;
- b. Discuss a procurement with any tenderer or prospective tenderer outside the official rules and procedures for conducting procurements;
- c. Favour or discriminate against any tenderer or prospective tenderer in the drafting of technical specifications or standards or the evaluation of tenders;
- d. Destroy, damage, hide, remove, or improperly change any official procurement document;
- e. Accept or request money, travel, meals, entertainment, gifts, favours, discounts or anything of material value from tenderers or prospective tenderers;
- f. Discuss or accept future employment with a tenderer or prospective tenderer;
- g. Ignore evidence that the Code of Ethics has been violated by a member of the University’s Tender Committee or other employee or representative of the University;
- h. Ignore illegal or unethical activity by tenderers or prospective tenderers, including any offer of personal inducements or rewards.
- i. Put themselves in conflict of interest position. Any staff having conflict of interest in a contract shall declare so and excuse himself/herself from responsibilities relating to that contract.

Transparency

Procurement with the use of ACECoR project funds must be conducted in a transparent and open manner, allowing stakeholders and the general public access to information on procurement actions by the University.

- a. all suppliers, contractors and consultants will be treated fairly and given equal opportunity to obtain contracts with the project;

- b.** procurement shall be done in the most efficient manner, upholding the principles of value for money, transparency and fairness
- c.** funds will be used solely for the purposes for which they have been entrusted;
- d.** all transactions are properly authorised and fully supported by written records;
- e.** value for money can be demonstrated by comparison with market rates;

Contract Management

In order to speed up the execution of contracts awarded, the Vice-Chancellor shall constitute contract management teams with officers who have the requisite skills and expertise to manage the contract. Depending on the nature and complexity of the contract, he may appoint officers such as Procurement Officer, Legal Officer, Engineer, Accountants etc to manage the contract effectively. The Vice-chancellor may also appoint an officer as a contract administrator to be in charge of the day to day administration of the contract.

The contract management team shall carry out the following activities where necessary:

- a.** Monitor the delivery schedules of all purchases to ensure that they are delivered on time.
- b.** Receive reports on inspection of goods and services when they are delivered or executed and contact the supplier requesting rectification of any discrepancies or deficiencies where applicable.
- c.** Communicate with the suppliers/contractors/consultants on regular basis on all issues relating to the contract.
- d.** Ensure that copies of all records relating to the transaction are kept for future references

Complaints and Administrative Review

The University shall use the following procedures to handle all complaints received from suppliers/contractors or consultants if they are not satisfied with the procurement process.

1. An aggrieved supplier/contractor/consultant may write to the Vice-Chancellor to formally lodge a complaint against the procurement process
2. The Vice-Chancellor shall investigate those complaints and if satisfied, he shall make a decision on the complaint and indicate the corrective action that is to be made.
3. If the supplier/contractor or consultant is dissatisfied with the decisions of the Vice-Chancellor or if the Vice-chancellor fails to consider the complaints within a reasonable time, the supplier/contractor or consultant may report to the Public Procurement Authority for administrative review to be taken by the authority.

Project Procurement Records

The Procurement Unit and the Project office shall obtain, retain and maintain appropriate documentation which support the Procurement activities undertaken under the project. The Vice-Chancellor and the Project Director shall ensure that any transactions they approve or authorise are backed by appropriate supporting documentation.

The Procurement Unit shall ensure that complete documentation is maintained in respect of all procurement activities and for contracts and agreements entered into under the project.

Revision of the Manual

The Manual may be revised when necessary to accommodate changes as a result of any changes made to the Public Procurement Act.

Appendix 1

OATH OF ALLEGIANCE FOR OFFICERS INVOLVED IN ACECoR PROCUREMENT PROCESSES

I,, do,
solemnly, swear/affirm that I will, in the discharge of my duties, be guided at all times by
the principles of honesty, accountability, transparency, fairness and equity. I will use the
best of my abilities and endeavours to discharge my responsibilities in a way and
manner that promotes the objectives of the University's ACECoR Project and its
Procurement Manual. I further affirm that I shall not take advantage of any information
that comes to me for any personal gain or extort money or blackmail a party/bidder of
the procurement proceedings.

So, help me God.

Name:

Designation:

Signature:

Date: