



# UNIVERSITY OF NAIROBI

## ***PROCUREMENT DEPARTMENT***

### **SERVICE CHARTER**

#### **INTRODUCTION**

The Procurement Department was established by the University Management in 2003, to comply with Public Procurement and Disposal Regulation 2001 that harmonized procurement in Public Entities and Central Government.

#### **VISION**

A center and partner for excellence and professionalism

#### **MISSION**

The mission of the Procurement Department is to provide customers with quality goods and services that add value by meeting their needs and expectations, at the lowest cost possible.

#### **CORE VALUES**

Members of staff in Procurement Department will endeavour to adhere to the following core values

- Professionalism in carrying out duties;
- Integrity in dealing with customers the general public;
- Transparency and accountability in all activities;
- Fair play in dealing with users and suppliers;
- Promotion of public confidence in the procurement process; and,

- Promotion of fair competition in procurement process.

#### **KEY PRINCIPLES**

The operations of the Procurement Department will be hinged on the following principles:

- Ethical behavior all the times;
- Compliance with all relevant laws, rules and principles;
- Team work in performance of tasks;
- Promotion of quality culture, cognizant of ISO 9001:2008;
- ICT-driven procurement management;
- People-focused, customer-driven consultative leadership; and,
- Incorporation of industry best-practices.

## COMMITMENT

The charter is a commitment by the procurement Department to vigorously improve its services to users so that they, also in turn become more efficient and effective in their delivery of service.

## QUALITY POLICY STATEMENT

The University of Nairobi is committed to consistently offer quality educational and related services to its customers as guided by the strategic plan with a view of meeting applicable customer, regulatory and statutory requirements.

To realize this, the top management shall regularly monitor and review its performance for improvement and suitability by implementing an effective quality management system.

## QUALITY OBJECTIVES

To realize this commitment, the Procurement Department has set the following quality objectives:

- To ensure 100% Compliance with PPAD, ACT, 2015
- To improve inspection and Acceptance turnaround time from Seven (7) days to 5 (five) days
- To Ensure 100% disposal of idle assets and stores by June 2017
- Ensure 100% service delivery levels for outsourced services by setting up contract implementation teams by Mid March 2017

## OVERVIEW

The University procurement process is governed by the Public Procurement and Asset Disposal Act (2015 ) and the Public Procurement and Disposal Regulations (2006).

The procurement of goods, works and services amounting to less than Kshs.500, 000.00 is approved by the respective college Principals whereas ,any procurement above Kshs.500, 000 is approved by the Vice Chancellor, **upon receiving a professional opinion from the College Procurement Officers and the Procurement Manager respectively.**

The Procurement Department will do its work diligently, efficiently, Impartially and, with the highest sense of integrity and honesty.

## PROCUREMENT DEPARTMENT FUNCTIONS

1. Receiving and processing of requirements from user departments,  
  
The Departments are expected to provide a duly completed AIE form.
2. Coordinating the preparation of the annual procurement plans submitted by the respective colleges and departments.
3. Preparation and processing of quotations and tenders
4. Provision of secretariat services to all the statutory procurement and disposal committees: Evaluation, inspection and Acceptance, negotiations, contract implementation and disposal committee.

5. Preparation of tender documents in consultation with the user departments.
6. Advertisement of tenders in the local dailies.
7. Preparation of letters of award, notification and contract agreements as well as the management of contracts.
8. Ordering, follow-up and processing of goods delivery schedules to user departments and warehouses.
9. Performance of market research and price survey on items and services required by the University.
10. Maintenance of updated suppliers registers and files for purposes of performance evaluation.
11. Preparation of statutory Quarterly, half Year/ Annual Reports/returns

## PROCUREMENT METHODS

### 1. **Open Tender Method**

This is the preferred method in all Public Procurement entities.

Tender is advertised in at least two local dailies.

Tenders are opened at least 14 days after the advertisement by a Tender opening committee appointed by the Vice Chancellor.

Tenders are evaluated by a Technical Evaluation Committee appointed by the Vice Chancellor.

Awards are by the Vice Chancellor on receipt of the Technical Evaluation Report

and Professional Opinion by the Procurement Manager.

## 2. **Restricted Tender**

This method is used when the following conditions are satisfied:

Competition for contract, because of the complex or specialized nature of goods, works or services is limited to prequalified contractors.

The time and cost required to examine and evaluate a large number of tenders would be disproportionate to the value of goods, works or services.

There are only a few known suppliers of the goods, works or services as may be prescribed in the regulations.

## 3. **Direct Procurement Method**

The method is used as long as the purpose is not to avoid competition.

The method is used when the following conditions are satisfied:

The goods, works or services are available only from a particular supplier contractor, or a particular supplier or contractor has exclusive rights in respect of the goods, works or services, and no reasonable alternative or substitute exists.

Due to war, invasion, disorder, natural disaster or there is an urgent need for the goods, works or services and engaging in the tendering proceedings or any other method of procurement would therefore be impractical, provided that the circumstances giving rise to the urgency were neither foreseeable or the result of dilatory conduct.

Owing to a catastrophic

event, there is an urgent need for the goods, works or services, making it impractical to use other methods of procurement because of the time involved in using other methods.

Having procured the goods, works or services from a supplier or contractor, the University determines that additional supplies should be procured from the same source for reasons of standardization or because of the need to for compatibility. In doing this, the department takes into account the effectiveness of the original procurement, the limited size of the proposed procurement in relation to the original procurement, the reasonableness of the price and unsuitability of alternatives to the goods or services in question.

For the acquisition of goods, works or services provided by a public entity, provided that the acquisition price is fair and reasonable, and compares well with known prices of goods, works and services in the circumstances

#### **4. Use of Quotations**

The method is used in the procurement of goods which are readily available and for which there is an established market;

The estimated value is less than Kshs. 500,000.00 for colleges and SWA or the Kshs. 1,500,000.00 threshold allowed for Class B entities under which the University falls

The quotations are given to companies registered with the University using the established criteria

At least three suppliers are invited to submit quotations which are the evaluated.

The successful quotation is the quotation with the lowest price that meets the requirements set out in the request for quotations

The quotation is cancelled where the lowest price is above the prevailing market rates.

The successful bidder is issued with a purchase order .

The purchase order is based on a professional opinion from the College Procurement Officer to Principal/ Director or the Procurement Manager to the Vice Chancellor, depending on the thresholds

#### **5. Request for proposals**

The method is used for the procurement of services or a combination of goods and services: and

The services to be procured are of an advisory nature or otherwise of a predominantly intellectual nature.

This is done in two stages first ,a request is made for the submission of expression of interest and thereafter a request for a technical and financial proposal is made.

## **6 Low value procurements**

This applies only on petty common items whose individual annual consumption does not exceed Kshs.10, 000.00 per item.

## **7 Force Account**

Used when making recourse to the state or public officers using public assets, equipment and labour which are competitive where:

1. The quantities of work involved are small and scattered or in remote locations for which qualified construction firms are unlikely to tender at reasonable price and the quantities of works cannot be defined in advance.
2. Unforeseen and urgent work

is required to be carried out without disrupting on going operations

3. The University is to complete works delayed by the contractor after written warnings did not yield any tangible results.
4. The method applies only with the prior approval of the Vice Chancellor, within the limited prescribed in the regulations and where the total cost of procuring the goods, works and non- consultancy services are, at most, set at the prevailing market rate

## **8 Framework Agreement**

A framework agreement may be entered if:

1. The Procurement

value is within the thresholds prescribed in the regulations

2. The required quantity of goods, works or non-consultancy services cannot be determined at the time of entering into the agreement
3. A minimum of seven alternative vendors are included in each category
4. The framework agreement shall be a maximum of three years and where exceeding one year, a value for money assessment will be undertaken annually to determine whether the terms designated in the contract remain competitive.
5. Frame work contracts will involve: Call offs order when necessary, invitation of mini completion among persons that have signed the agreement, in which case evaluation of bids will be carried out
6. A report on all items procured through framework agreements will be submitted to the Vice Chancellor each quarter detailing patterns of usage, procurement costs in relation to market rates and

any recommendations.

### **9 Electronic Reverse Auction**

The procurement Department is in the process of implementing e procurement so as to meet the conditions necessary for using this procurement method.

When it is operationalised, this method is used as follows:

1. All suppliers on the portal are invited to compete in the specific category
2. An advertisement will be placed on the University website
3. The price of bidders will be visible to other bidders without revealing the bidder's identity and the prequalified supplier will not revise its bid upwards within the prescribed time. The successful bidder shall be the bidder with the lowest price at the bid submission deadline.

### **9 Two stage Tendering**

This method is used when due to complexity and inadequate knowledge or advancement in

technology; it is not feasible for the University to formulate detailed specifications for the goods, works or non consultancy services in order to obtain the most satisfactory solution to the procurement problem.

In stage one, the tender will comprise of proposals without a tender price

In the second stage, the tenders which were retained will be invited to submit final tenders with prices with respect to a single set of specifications. These specifications may be modified in any aspect originally set forth in the tendering document, and the participating bidders notified

The tenders will then be evaluated and award given to the successful bidder.

### **10 Design Competition**

This method is used for the purpose of determining the best architectural, physical planning and any other design scheme, engineering, graphic or any other design scheme.

It involves inviting design proposals through an advertisement.

The design proposals are then evaluated, after which a tender document is prepared and the best three invited to bid. A committee is set up to evaluate. The best three design schemes receive a honorarium prize as per internal University policies.

All participating bidders undertake to transfer property rights and patents relating to their designs to the University, hence the designs become part of the University property upon completion of the process

## **7. Prequalification of suppliers**

The Procurement Department continuously updates lists of registered suppliers, contractors in various categories of goods, works or services according to the Procurement needs. Inclusion of suppliers is done at any time, at no cost as long as suppliers meet and can show proof of the following eligibility criteria:

1. Has legal capacity to enter into a contract for Procurement or asset disposal
2. Is not insolvent, in receivership, bankrupt or in the process of being wound up
3. If a member of a regulated professional body has satisfied all the professional requirements.
4. The University is not precluded from entering into a contract with the company under section 38 of the PPAD ACT, 2015
5. The person and his/ subcontractor has not been debarred from participating in procurement proceedings.
6. The company has fulfilled tax obligations

7. The company or its directors have not been convicted of corrupt or fraudulent practices

8. The company or its directors are not guilty of any serious violation of fair employment laws and practices

9. For groups under the reserved categories, a certificate of registration with the National Treasury.

## **PURCHASES FROM THE BUSINESS CENTRE**

The university policy is that all commonly used items which are stocked by the business centre are purchased from there. These items include:

Stationery and related ;

Cleaning materials and detergents; and

Household electrical .

Lists of items in the Business Centre are available in the University website.

It is important that: Colleges and departments to ensure that cheques are prepared before collection of goods from the business centre.

Departments in Central Administration are urged to ensure that the funds are committed accordingly before, collection of goods

## **CLEARING AND FORWARDING OF GOODS**

All clearing and forwarding of International Procurement are done by the Procurement Department, through the University appointed Agent (appointed through open Tender method).

## **TENDERS IN PROCESS**

Notices of the ongoing tenders are displayed in our offices and on the university Website



All payments for tender documents are done in RmG4 Finance Office (Gandhi Wing).

### **TENDER OPENING**

All tenderers are free to attend the Tender Opening meeting for the respective tenders.

### **COMMUNICATION**

The Procurement Department believes that effective communication can be used to positively manage change and to ensure prompt delivery of goods and services. In this regard, the Department undertakes to communicate with all concerned as provided in this charter.

The department will appreciate a feedback from you on the services rendered.

### **COMMITMENT**

The department is committed to serve you with courtesy, honesty, integrity and fairness.

We commit ourselves to:

Attend to you within thirty (30) minutes of your visit.  
Act on your request within seven (7) days upon receipt of your request to purchase and in the case of Tender at Seventy Five (75 ) days after Tender opening.

Process quotations above Ksh.500,000.00 within forty five (45) days and those below Ksh. 500,000.00 within Twenty one (21) days.

Treat your request with confidentiality and give it the urgency it deserves.

### **YOUR RIGHTS**

Our Services are free.

In the event of experiencing any difficulty in obtaining services in the

Department, please ask to see the procurement manager.

### **PROCURING DEPARTMENTS**

The procuring departments and colleges are expected to:

Adhere to the Public procurement and Asset Disposal Act (2015) and the Public procurement Regulations (2006).

Contribute ideas and suggestions to improve procurement of goods works and services.

### **PROCUREMENT STAFF**

Procurement Department staff undertakes to do the following:

Be available at all times, to provide courteous, prompt and efficient service to help both the Internal and External customers.

Provide a welcoming environment.

Treat all customers equally, fairly and with respect

Respect the confidentiality and privacy of information.

## **FEEDBACK**

Your feedback is very important ,if you receive unsatisfactory service or have any complaints or suggestions to make, do not hesitate to contact us through :

**The Vice Chancellor  
University of Nairobi  
P.O. BOX 30197,  
NAIROBI**

**OR**

**The Procurement Manager  
University of Nairobi,  
P.O. Box 30197, 00100  
NAIROBI  
Tel. No. 318262 Ext. 28249  
Email:manager-  
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**Joseph M.K Mokaya  
Procurement Manager**