

Application to challenge the the Decisions and Actions of the Board:

Bidders and suppliers are entitled to certain processes that can accord them relief in terms of the Public Procurement Act and its amendments.

The bidders and suppliers can make use of the following procedures:

The Reconsideration Process:

- This is done i.t.o section 55(5). Following the Notice for Selection of Award, a bidder can approach the Board to reconsider its decision.
- The CPBN will then look into the issue of the bidder together with the BEC and make a proposal to the Board as to whether the bidder's complaint has merits or not.
- The Board will then apply its mind and come up with a decision which will then be communicated to the bidder.

Review Panel Proceedings

In terms of Section 59 read together with Regulation 42 of the PPA, a bidder or supplier who wishes to challenge the decision of the Board, must lodge an application for review. The Applicant must, within 7 days of receipt of the decision or any action taken by CPBN, apply to the Review Panel for review of such decision or action.

This must be done through an application which must:

- a) Contain reasons why the bidder or supplier is not happy or satisfied with the Board decision or action as well as any supporting documents on which the supplier or bidder rely on.

The Review Panel will within 7 to 14 days determine the matter and inform the bidders or suppliers of the outcome.

Procurement Integrity

Conduct of staff members

In terms of Section 66 of the PPA, staff members of the Board involved in planning or conducting procurement process or contract administration will always undertake-

- To discharge his or her functions fairly and impartially and without fear, favour or prejudice to anyone so as to ensure fair competitive access to procurement by suppliers;
- To act in the public interest and in accordance with the PPA;
- To avoid any conflict of interest to arise in the carrying out of his or her functions and in conducting himself or herself;
- To keep confidential any information that comes into his or her possession relating to procurement proceedings and bids, including proprietary information of bidders; and
- Not to deal or negotiate on behalf of the contractor or supplier for a contract he or she had specifically dealt with while in the service of the Board.

Conduct of suppliers

In terms of Section 67 of the PPA, a bidder or supplier who-

- Engages in or abets any corrupt or fraudulent practice, including the offering or giving, directly or indirectly, of improper inducements, in order to influence a procurement process or the execution of a contract, including interference in the ability of competing bidders to participate in procurement proceedings; or
- Engages in any coercive practice threatening to harm, directly or indirectly, any person or property of such person to positively influence the participation of the bidder or supplier in a procurement process, or to affect the execution of a contract, commits an offence and is liable to a fine not exceeding N\$5,000,000.00.



Procuring with Integrity



Our Mandate:

The Central Procurement Board of Namibia (CPBN) was established as a juristic person by the Public Procurement Act, 2015 (Act 15 of 2015) with the following mandate:

- To conduct the bidding process on behalf of public entities for the award of contracts for procurement or disposal of assets that exceed the threshold prescribed for public entities;
- To enter into contracts for procurement or disposal of assets on its own behalf or on behalf of public entities awarded by the Board as contemplated in paragraph (a); and
- To direct and supervise accounting officers in managing the implementation of procurement contracts awarded by the Board.

Mission

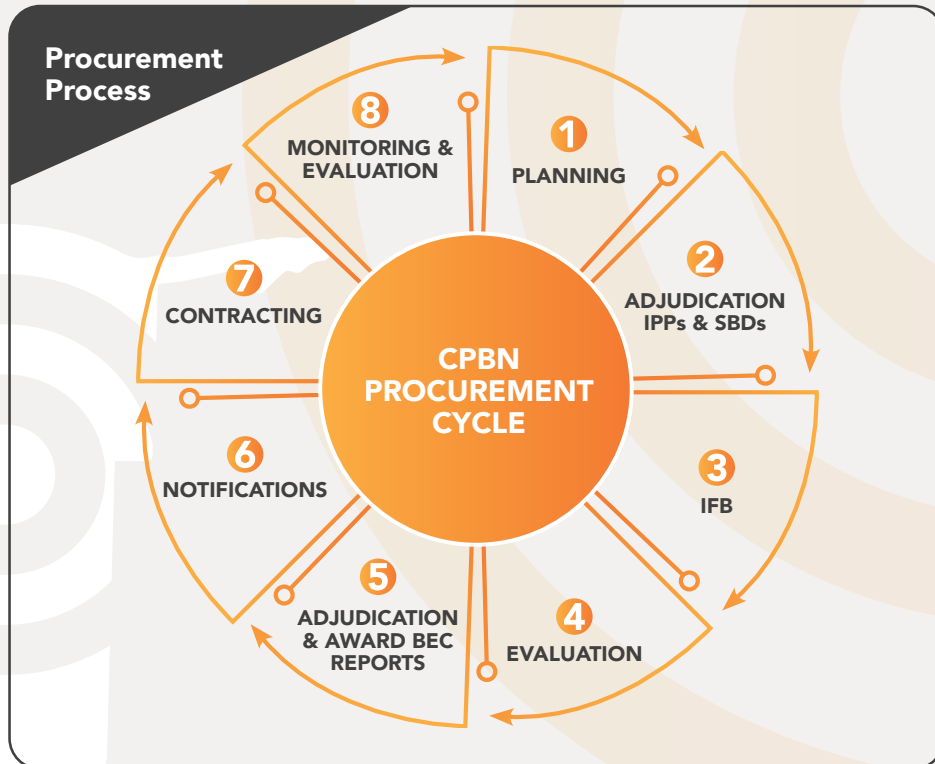
To ethically and efficiently manage procurement on behalf of public entities.

Vision

To be a vibrant dynamic procuring agent that enables sustainable growth.

Values

Value for money Integrity Transparency Accountability Responsiveness Teamwork



1. Planning IPPs & SBD	<ul style="list-style-type: none"> Procurement process is initiated through Public Entities (PEs) submitting Individual Procurement Plans (IPP's) and Standard Bidding Documents (SBD's); CPBN vets and guides PEs on the IPPs, SBDs and timelines; Public Procurement Management (PPM) submits IPPs & SBDs to the Board for adjudication.
2. Adjudication IPP and SBDS	<ul style="list-style-type: none"> The Board adjudicates on the IPPs and SBDs; The Board approves, decline or refers the IPPs & SBDs to the PEs for revision; The Board provides direction or guidance through Board resolutions
3. Invitation For Bids	<ul style="list-style-type: none"> In case where the SBD has been approved, an Invitation For Bid (IFB) will be published in print media and CPBN website; IFB will run for a minimum of 30 days; CPBN conducts pre-bid meeting/site visit sessions; Bidders may seek clarifications in writing from the procuring agent. BEC members are inducted on CPBN's evaluation processes prior to the commencement of evaluation. Manage the closure and opening of bids; The Board appoints independent and qualified individuals from the public to serve as Bid Evaluation Committee (BEC) members.
4. Evaluation	<ul style="list-style-type: none"> BEC members are inducted on CPBN's evaluation processes prior to the commencement of evaluation. BEC commences with examination and evaluation process within five (5) days from the bid closing date; BEC completes the evaluation process within fourteen (14) days from date of commencement or within a maximum of thirty (30) days; BEC may seek clarifications in writing from bidders during the evaluation process; The BEC will produce and submit a report to the Board for adjudication.
5. Adjudication and award (BEC Reports)	<ul style="list-style-type: none"> The Board may approve or reject the recommendations by the BEC. The Board issues resolutions for direction and/or guidance of the BEC, for implementation & resubmission;
6. Notifications	<ul style="list-style-type: none"> In case where the BEC report is approved by the Board, a Notice for Selection of Award to all participating bidders shall be issued; The Notice provides for a seven (7) day standstill period for applications for review by unsuccessful bidders; In the absence of any applications for review, a Notice of Award and acceptance letter is issued to the successful bidder(s); Where provision for performance guarantee is required, a bidder is required to provide it within thirty (30) days prior to contract signing.
7. Contracting	<ul style="list-style-type: none"> Preparation of the contract by CPBN in consultation with the PE, CPBN, Contractor/service provider and PE (witness) signs the contract; Site handover and commencement of contract implementation;
8. Monitoring and evaluation	<ul style="list-style-type: none"> CPBN oversees overall contract implementation; PEs are required to provide CPBN with progress quarterly reports on projects awarded by the Board; CPBN conducts regular Monitoring and Evaluation (M & E) site visits to ensure compliance to the PPA, regulations, directives and signed contracts.