

PROCUREMENT POLICY



Aiming Change for Tomorrow

Approved in BOD Meeting held on 7 July, 2012

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PROCUREMENT POLICY

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1 The Procurement Process

This document will help to:

- Understand what procurement is,
- Know the difference between tenders and quotations,
- Understand the process and authorisation limits,
- Follow the tender process from issuing an invitation to tender, to judging and accepting tenders; and
- Be aware of key issues in awarding contracts and contract management.

1.1 Procurement

Procurement covers the whole process of acquiring goods and/or services. It includes the following activities:

- Identifying the need,
- Specifying the need,
- Sourcing potential suppliers or service providers,
- Obtaining prices that are competitive,
- Evaluating proposals from potential suppliers or service providers,
- Placing orders,
- Making payment, and
- Receiving goods and services under the contract

This Procurement Policy has been approved by Senior management Team of ACT-INTERNATIONAL. It sets out the responsibilities of all employees who are involved in procuring goods and services.

1.2 Why is procurement important?

Over nearly 5 million to 150 million of ACT-INTERNATIONAL annual budget will be spent on buying goods and services. It is important that any purchases made are value for money (that is, the best possible quality at the least possible cost).

1.3 Code of practice

Every employee is responsible for ensuring ACT-INTERNATIONAL gets value for money in all purchases regardless of their size. Concerned staff should find out what other suppliers in the market place are offering.

It is expected that one must not use his/her position for personal gain and should comply with appropriate legislation and reject any business practice that could be considered improper. Non-compliance to this would result in disciplinary actions. It is expected from staff that they:

1.4 Must:

Retain sufficient records to show that they have complied with the Procurement Policy; Declare any personal interest in a transaction.

1.5 Must not:

Disclose sensitive information about ACT-INTERNATIONAL or the suppliers; and Accept hospitality or gifts from vendors/suppliers other than those of a low intrinsic value (for example, pens, diaries and calendars).

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1.6 Tendering and quotations

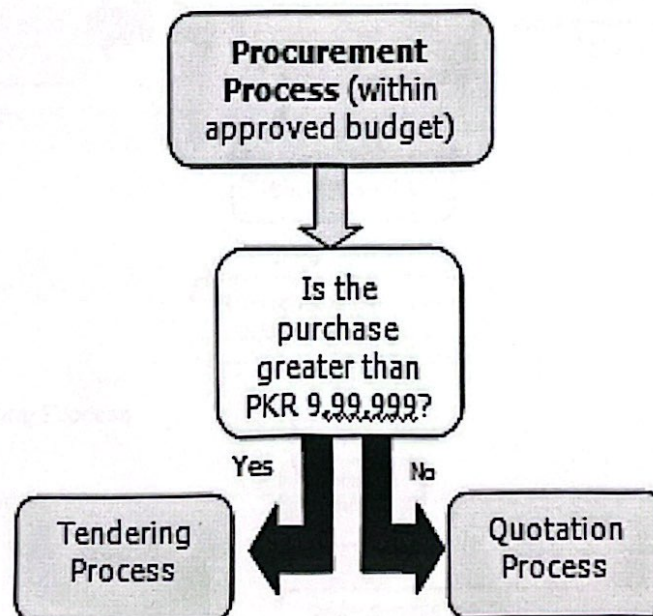
Any contracts made by or made for ACT-INTERNATIONAL need to comply with the Standing Orders, donor requirements if they exist and relevant laws.

Legal requirements supersede any donor and ACT-INTERNATIONAL requirements. The donor's requirements supersede any of ACT-INTERNATIONAL requirements (as stated in this process).

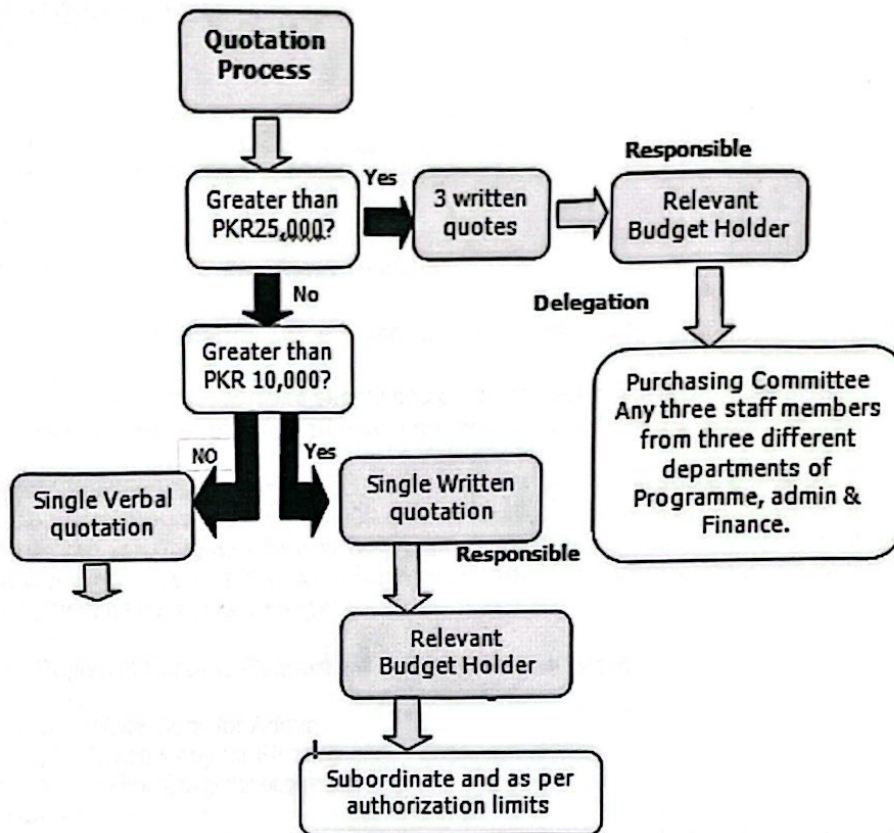
1.7 What is a tender and quotation?

A competitive tender is a formal written offer or bid to carry out work or to supply goods for a pre-stated price. There are strict conditions that apply to competitive tenders. A quotation is a formal statement of the estimated cost of goods or services. It may include a statement of how services will be delivered. The diagram below shows when to use the full tendering or quotation procedures.

1.8 Tendering versus Quotations

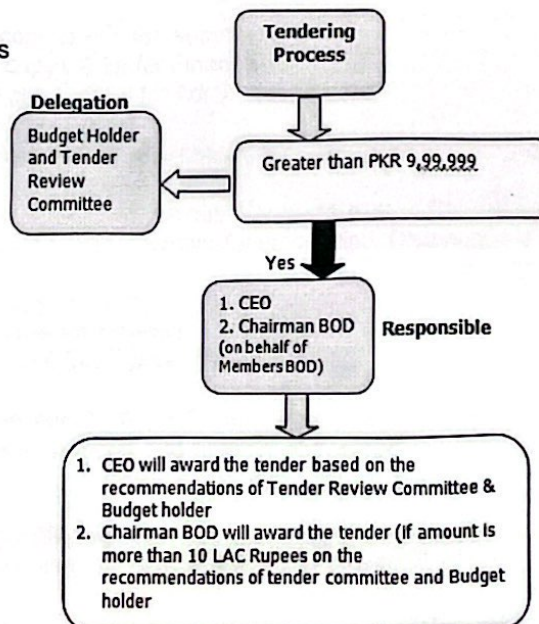


1.9 Quotation process



1.10 Tendering Process

For Purchases less



1.11 Single quotation

Single quotation must be received in writing. Single Quotation process is permitted only if the purchase value is under PKR 10,000.

Before accepting, a single quotation special care is needed to ensure the price paid is fair and reasonable. Single quotations are allowed when the goods or services are of a regular nature and it is time & resources consuming and not possible to obtain quotes from suppliers every time;

Exception: There are possibilities when single quotation process has to be followed for purchases above than PKR 10000. The reasons could be

- The goods or services are of a special nature and it is not possible to obtain quotes from suppliers;
- There is only one approved supply source for special equipment or services;
- There is really an unexpected need and time is too short to get the quotations.

However, a proper justification is required to be written and approved by budget holder. In no case, the value should exceed PKR 100,000 only in emergencies or circumstances unavoidable. Any staff member requiring any item to be procured will fill out carbonized Supplies Request Form (triplicate- White, Green & Yellow). It is the responsibility of staff member to get Supplies Request Form authorized by relevant budget holder.

✓ Copies of Supplies Request will be distributed as follows:

- White Copy for Admin
- Green Copy for Finance
- Yellow Copy for requester

Administration will get the single quotation and get it approved by Budget holder and will place the purchase order.

✓ Copies of Purchase order will be distributed as follows:

- White copy of PO for supplier
- Green copy will be for Finance
- Yellow copy will be for Admin department.

Once approval is taken on quotation by Budget holder, second approval on LPO is not required by Budget holder.

✓ Once the item is received, Goods Received Note GRN will be raised and will be counter signed by requester/team member for verification. Distribution of GRN is as follows

- White copy for Admin
- Green copy for Finance
- Yellow copy for Supplier if required

All items worth more than PKR 5000 where items mean any item whose life is more than one year will be assigned an Asset Tag number and will be recorded on the GRN as well as on the asset register.

All consumable items (life less than one year or consumed within one year) like stationary, Kitchen supplies, toners etc will not be tagged with asset numbers.

Every document will be having cross-reference code/number, which will help in identifying and maintaining the assets properly.

Purchase order will be raised for only non-consumable items. Those items which cannot be tagged like vehicle spare parts or tyres or any kind of services (worth less than PKR 10,000), GRNs will be raised but asset tag number will not be allocated.

A separate record of consumables will be kept:

2 For Purchases above PKR 10,000 up to PKR 9,99,999

2.1 Multiple Quotations or Tender

The delegation of powers sets out the limits for tenders and quotations and identifies the level of approval required in every case. The supplier's information is evaluated and the one that gives ACT-INTERNATIONAL the best value for money is selected. If the lowest quotation is not the one chosen then the reason for this needs to be entered on the Tender/ Quotation Review and Recommendation Sheet.

A quotation lists the price a supplier is willing to sell goods and services for. The quotation process is used when the cost is less than PKR 9,99,999. The people permitted to accept quotations can be found in the delegation of powers. Quotations should be made in writing. All quotations are confidential and will need to be attached with payments.

2.2 Process

Any staff member /Programme Team / department requiring any item to be procured will fillup carbonized Supplies Request Form (triplicate- White, Green & Yellow). It is the responsibility of staff member to get Supplies Request Form authorized by relevant budget holder or approving authority as per authorization limits.

✓ Copies of Supplies Request will be distributed as follows:

- White Copy for Admin
- Green Copy for Finance
- Yellow Copy for requester

Administration will get three sealed quotations and three staff members will be required to form a committee. The committee members should be one each from Admin, Finance and Programme team. All members will open sealed quotations and sign of the quotations. A comparative statement will be prepared and again verified by the committee. Final approval will be taken on the comparative statement from the relevant budget holder or approving authority as per authorization limits. In case of IT equipment, quotations will be requested from the suppliers against specifications given by the IT lead person. The IT lead person and administration representative will support the committee in deciding on the most appropriate bid. After subsequent to approval of the tender/quotation, a Purchase Order will be issued.

Copies of Purchase Order will be distributed as follows

- White copy of PO for supplier
- Green copy will be for Finance
- Yellow copy will be for Admin department.

Once approval is taken based on the Comparative Statement by the budget holder or approving authority as per authorization limits, second approval on PO is not required.

Once the items/goods are received, Goods Received Note GRN will be raised and will be counter signed by requester/team member for verification. Distribution of GRN is as follows

- White copy for Admin
- Green copy for Finance
- Yellow copy for Supplier

All items worth more than PKR 10000 where items mean any item whose life is more than one year will be assigned an Asset Tag number which will be recorded on GRN as well as on the asset register.

All consumable items (life less than one year or consumed within one year) like stationary, Kitchen supplies, toners etc will not be tagged with asset numbers.

Every document will be having cross-reference code/number, which will help in identifying and maintaining the assets properly

Those items which cannot be tagged like vehicle spare parts or tyres or any kind of consumables or services (total worth more than PKR 10,000 but less than 100,000), GRNs will be raised but asset tag number will not be allocated.

A separate record of consumables will be kept.

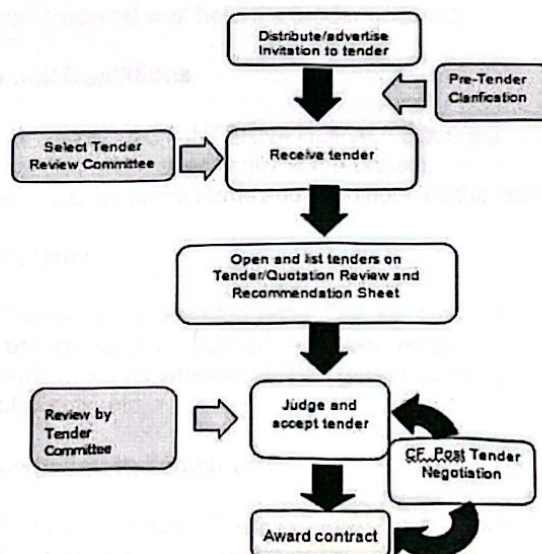
3 For Purchases above PKR 9,99,999 up to PKR 9.99 million

3.1 Tendering process

The delegation of powers sets out the limits for tenders and quotations and identifies the level of approval required in every case. The supplier's information is evaluated and the one that gives ACT-INTERNATIONAL the best value for money is selected. If the lowest quotation is not the one chosen then the reason for this needs to be entered on the comparative statement. All quotations are confidential and will need to be attached with the payments.

The Supplies Request will be raised and will be approved by the CEO, Founder President or Chairperson BOD, whatsoever is applicable as per threshold. A proper justification for the purchase will be prepared for the record. Specifications will be set by the three members Procurement Committee. In case of IT equipment purchase, IT person will prepare the specification. In case of relief goods or food items, the specifications will be verified by ADMIN/ Logistics and the same will be used as standards.

The diagram below summaries the tendering process:



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3.1.1 The Invitation to Tender (ITT)

An invitation to tender (ITT) is a document that requests suppliers to apply for a tender contract. Invitation is either sent to approved lists of Suppliers or advertised in the leading newspapers.

3.1.2 Preparing the Invitation to Tender (ITT)

All Invitations to Tender (ITT) must be identical. It is not acceptable for individual tenderers to be offered different terms or information.

There are five key areas to an ITT:

a) Instructions to tenderers

This should include details of the

- Closing time and date,
- An address to return the tender to,
- Plus any other relevant information.

All tenderers should be advised that tenders received after the closing date will not be considered.

b) Instructions to tenderers

This should include details of the

- Closing time and date,
- An address to return the tender to,
- Plus any other relevant information.

All tenderers should be advised that tenders received after the closing date will not be considered.

c) Product or service specification

This is the most important part of the ITT and will include details of what is required. A specification should be prepared well before a tender goes out.

d) Contract Terms and Conditions

Administration should apply ACT-INTERNATIONAL Standard Terms and Conditions and Policies plus any policy that relate specifically to the project.

The tender should also have the same terms and conditions as the final contract.

e) Tenderer requirements

The tenderer must include a statement stating that no collusive tendering or other restrictive practices (such as anti-competitive activity) will take place. Tenderer must give evidence of registration with tax authorities as well as relevant government registration department, Company profile including list of clients, etc.

3.1.3 Issuing the Invitation to Tender (ITT)

Invitations to tender should be advertised or issued and issued by the person with overall responsibility for that project, including budgetary responsibility.

Tenderers must be allowed a reasonable period of time to prepare their tenders.

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a) The tender envelope

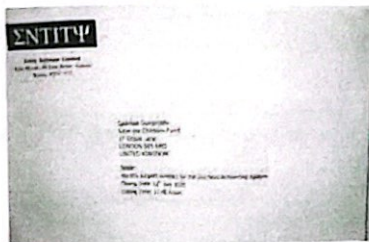
Procurement Committee can only accept tenders that have been handed in:

- A plain, sealed package showing a pre-printed label supplied by ACT- INTERNATIONAL, or
- A plain, sealed package showing the word "Tender" followed by what it relates to and the closing time and date, or
- A special envelope supplied by ACT-INTERNATIONAL.

Tender envelopes or packages must not have any names or marks identifying the sender; as this would affect whether they are accepted or not.

The following tender envelopes should not be accepted, for example:

Company Identity



Tenders should be kept in a secure place until they are opened.

a) Receiving tenders

Some key points to follow when receiving tenders:

- The tenders should be addressed to lead person of tender committee,
- The date and time you received the tender should be stamped on the unopened envelope or package,
- You will be responsible for the tenders until they are opened, and
- A Tender/ Quotation Review and Recommendation Sheet must be maintained for the tenders received.

b) Late tenders

Tenders received after the due date and time will not be considered, unless there are exceptional circumstances that have caused the delay.

If you are going to accept late tenders you should extend the closing date to all tenderers.

If you have decided not to accept a late tender, it should be returned as soon as possible to the tenderer preferably unopened with a covering letter explaining why it has been rejected.

c) Incomplete tenders

Incomplete tenders should not be accepted.

d) Amended tenders

Tenderers may choose to change their tenders up to the specified closing date for receiving tenders. Anything received after the closing date is poor commercial practice.

The change can be made in writing or made verbally and confirmed in writing at a later date. ACT-INTERNATIONAL cannot ask tenderers to change their tenders or encourage them to do so.

e) Opening tenders

Once the closing date has arrived it is time to open the tenders.

A member of staff from the issuing department should retain the tender envelopes until the time they are to be opened.

They must ensure that:

- All tenders are correctly sealed and unopened,
- All tenders are opened and stamped at the date of opening,
- Tenderers do not submit late tenders and bypass the sealed tender process.

Any tender received opened or not in the appropriate envelope or received late should be rejected. This will ensure that the system is completely fair and treats all tenderers on an equal basis.

3.1.6 Tender Review Committee

A Tender Review Committee evaluates the tenders. This Committee consists of two senior staff members chosen by the CEO & Founder President.

The Tender Review Committee should have members from the following staff groups:

- Administration,
- Finance,
- The end user who will have been involved in writing out the original requirement,
- A member of staff not perceived to have a vested interest in the outcome of the tender. See the section on pecuniary interests and standards of business conduct in the Standing Orders.

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If the purchase is related to a specialist goods or services for which skilled knowledge of purchase is required and such skill is not available in house, consideration should be given to bringing in the expertise from outside to review tender documents like for food items. Items specifications can be taken.

The Committee may select additional members if they are needed to ensure the tender process is fair and honest.

The Tender Review Committee ensures that:

- All tenders are correctly sealed and unopened,
- All tenders are opened and stamped at the date of opening,
- Tenderers do not submit late tenders and bypass the sealed tender process.

Any tender received opened or not in the appropriate envelope or received late should be rejected. This will ensure that the system is completely fair and treats all tenderers on an equal basis.

3.1.7 Accepting tenders

In deciding whether to accept the tender bid, the Tender Review Committee will need to satisfy itself that:

- ACT-INTERNATIONAL will get value for money, and
- The number of tenders received provided sufficient competition.

If the Tender Review Committee is unsure about accepting a tender, they need to discuss this with the CEO. The reason for rejecting the tender will need to be stated in writing for future audit purposes and the tenderer notified.

3.1.8 Tender evaluation

The Tender Review Committee will be responsible for:

- Evaluating the tenders commercially, technically and financially;
- Recommending who should be awarded the tender or whether all tenders should be rejected; and
- Ensuring that good procurement practices have been followed throughout.

3.1.9 Contract

A comprehensive contract will be issued to the successful candidate on a standard format duly signed by CEO. It is good to mention delivery schedule in the contract if possible. It should be ensured that standard format covers any legal issue, which may arise during the course of supplies or due to any conflict between supplier and ACT-INTERNATIONAL.

4 High-Value Contract Procurement Policy (Above PKR 10 Million)

4.1 Policy Overview

This policy is designed to guide the procurement of goods and services for contracts valued above PKR 10 million. It aims to ensure transparency, competition, and value for money in the procurement process. The following steps outline the detailed procedures to be followed.

This flow chart visually represents the structured approach to ensure transparency, competition, and efficiency in the procurement process for high-value contracts.

4.2 Step-by-Step Policy

4.1.1 Identify Needs

Action: The first step in the procurement process is to clearly define the goods or services required. This involves understanding the needs of the relevant departments and establishing detailed specifications.

Responsibility: Relevant departments must work collaboratively to define these needs.

Outcome: The result should be a clear and precise set of specifications that accurately describe the required goods or services.

4.1.2 Prepare ITT (Invitation to Tender)

Action: Next, a comprehensive Invitation to Tender (ITT) document must be drafted. This document should include clear instructions for tenderers, detailed specifications, terms and conditions, contract & other relevant documents of the tenders, and any specific requirements that tenderers must meet.

Responsibility: The procurement team is responsible for preparing the ITT.

Outcome: The outcome is a well-prepared ITT document that ensures all potential suppliers have the information they need to submit a competitive and compliant tender.

4.1.3 Advertise ITT

Action: The ITT should be advertised widely to ensure broad participation. This includes publishing advertisements in leading newspapers and relevant online platforms, as well as sending the ITT to pre-approved suppliers.

Responsibility: The procurement team handles the advertisement and distribution of the ITT.

Outcome: The goal is to attract a wide range of bidders to promote competition and achieve the best value for money.

4.1.4 Receive Tenders

Action: All received tenders must be handled with care to ensure they are received before the deadline and stored securely until the opening date.

Responsibility: The procurement team is responsible for managing the receipt and storage of tenders.

Outcome: This step ensures that all tenders are treated equally and that the integrity of the procurement process is maintained.

4.1.5 Open Tenders

Action: Tenders should be opened in a formal meeting with the Tender Review Committee. In the presence of the applied bidders. This process must be conducted transparently, with each tender's receipt date and time recorded.

Responsibility: The Tender Review Committee oversees the opening of tenders. The date for opening of bids and the last date for the submission of bids shall be the same. Bids shall be opened at the time specified in the bidding documents. The bids shall be opened at least thirty minutes after the deadline for submission of bids. All bids shall be opened publicly in the presence of the bidders or their representatives who may choose to be present, at the time and place announced prior to the bidding. The TRC shall read aloud the unit price as well as the bid amount and shall record the minutes of the bid opening. All bidders in attendance shall sign an attendance sheet. All bids submitted after the time prescribed shall be rejected and returned without being opened.

Outcome: The proper opening of tenders ensures that all bids are considered fairly and that the process remains transparent.

4.1.6 Evaluate Tenders

Action: The evaluation of tenders is based on predefined criteria, including commercial, technical, and financial aspects. A comparative statement should be prepared to facilitate the evaluation.

Responsibility: The Tender Review Committee is responsible for assessing the tenders. TRC shall formulate an appropriate evaluation criterion listing all the relevant information against which a bid is to be evaluated. Such evaluation criteria shall form an integral part of the bidding documents. Failure to provide for an unambiguous evaluation criteria in the bidding documents shall amount to mis-procurement. For the purposes of comparison of bids quoted in different currencies, the price shall be converted into a single currency specified in the bidding documents. The rate of exchange shall be the selling rate, prevailing on the date of opening of bids specified in the bidding documents, as notified by the State Bank of Pakistan on that day.

Outcome: The evaluation process should result in a fair and thorough comparison of all tenders, ensuring that the best bid is selected.

4.3 Clarification of bids

No bidder shall be allowed to alter or modify his bid after the bids have been opened. However, the TRC may seek and accept clarifications to the bid that do not change the substance of the bid. Any request for clarification in the bid, made by the TRC shall invariably be in writing. The response to such request shall also be in writing.

4.4 Discriminatory and difficult conditions.

Save as otherwise provided, no TRC shall introduce any condition, which discriminates between bidders or that is considered to be met with difficulty. In ascertaining the discriminatory or difficult nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related.

4.5 Rejection of bids

The TRC may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The TRC shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds. Notice of the rejection of all bids or proposals shall be given promptly to all suppliers or contractors that submitted bids or proposals.

4.6 Re-bidding

If the TRC has rejected all bids after the approval of the Founder President or Chairperson it may call for a re-bidding. The TRC before invitation for re-bidding submits the reasons for rejection and may revise specifications, evaluation criteria, or any other condition for bidders as it may deem necessary.

4.7 Select and Approve

Action: Based on the evaluation, the TRC will recommend the most advantageous tender. This recommendation must then be approved by the Founder President or relevant authority.

Responsibility: The TRC makes the recommendation, and the CEO, Founder President or relevant authority grants the final approval.

Outcome: The approval process ensures that the selected tender meets all criteria and provides the best value for money.

4.8 Announcement of evaluation reports

Based on the procedure adopted for the respective procurement, the TRC shall announce the result of bid evaluation, in the form of a final evaluation report giving justification for acceptance or

rejection of bids at least fifteen days prior to the award of the procurement contract.

4.9 Procedures of open competitive bidding

Save as otherwise provided in these rules the following procedures shall be permissible for open competitive bidding, namely: -

(a) Single stage: one envelope procedure.

Each bid shall comprise one single envelope containing, separately, a financial proposal and technical proposal (if any). All bids received shall be opened and evaluated in the manner prescribed in the bidding document.

(b) Single stage: two-envelope procedure.

- The bid shall comprise a single package containing two separate envelopes. Each envelope shall contain separately the financial proposal and the technical proposal.
- The envelopes shall be marked as "FINANCIAL PROPOSAL" and "TECHNICAL PROPOSAL" in bold and legible letters to avoid confusion.
- Initially, only the envelope marked "TECHNICAL PROPOSAL" shall be opened.
- The envelope marked as "FINANCIAL PROPOSAL" shall be retained in the custody of the Procurement Committee without being opened.
- The Procurement Committee shall evaluate the technical proposal in a manner prescribed in advance, without reference to the price, and reject any proposal that does not conform to the specified requirements.
- During the technical evaluation no amendments to the technical proposal shall be permitted.
- The financial proposals of bids shall be opened publicly at a time, date and venue announced and communicated to the bidders in advance.
- After the evaluation and approval of the technical proposal the Procurement Committee, shall at a time within the bid validity period, publicly open the financial proposals of the technically accepted bids only. The financial proposal of bids found technically non-responsive shall be returned un-opened to the respective bidders; and
- The bid found to be the most advantageous bid shall be accepted.

(c) Two stage bidding procedure. -

First stage

- The bidders shall first submit, according to the required specifications, a technical proposal without price;
- The technical proposal shall be evaluated in accordance with the specified evaluation criteria and may be discussed with the bidders regarding any deficiencies and unsatisfactory technical features;
- After such discussions, all the bidders shall be permitted to revise their respective technical proposals to meet the requirements;
- The procurement committee may revise, delete, modify or add any aspect of the technical requirements or evaluation criteria, or it may add new requirements or criteria not inconsistent with the requirements. Provided that such revisions, deletions, modifications or additions are communicated to all the bidders equally at the time of invitation to submit final bids, and that sufficient time is allowed to the bidders to prepare their revised bids: provided further that such allowance of time shall not be less than fifteen days in the case of national competitive bidding and thirty days in the case of international competitive bidding;
- Those bidders not willing to conform their respective bids to the procurement committee's technical requirements may be allowed to withdraw from the bidding without forfeiture of their bid security;

second stage

- The bidders, whose technical proposals or bids have not been rejected and who are willing to conform their bids to the revised technical requirements of the Procurement Committee, shall be invited to submit a revised technical proposal along with the financial proposal;
- The revised technical proposal and the financial proposal shall be opened *****on respective specified, date and venue announced and communicated to the bidders in advance; and
- The revised technical proposal and the financial proposal shall be evaluated in the manner prescribed above. The bid found to be the *****most advantageous bid shall be accepted;
- Provided that in setting the date for the submission of the revised technical proposal and financial proposal a Procurement Committee shall allow sufficient time to the bidders to incorporate the agreed-upon changes in the technical proposal and prepare their financial proposals accordingly.

(d) Two-stage - two-envelope bidding procedure. -

First stage

- The bid shall comprise a single package containing two separate envelopes. Each envelope shall contain separately the financial proposal and the technical proposal.
- The envelopes shall be marked as "financial proposal" and "technical proposal" in bold and legible letters to avoid confusion.
- Initially, only the envelope marked "technical proposal" shall be opened.
- The envelope marked as "financial proposal" shall be retained in the custody of the procurement committee without being opened.
- The technical proposal shall be discussed with the bidders with reference to the procurement committee technical requirements.
- Those bidders willing to meet the requirements of the procurement committee shall be allowed to revise their technical proposals following these discussions.
- Bidders not willing to conform their technical proposal to the revised requirements of the procurement committee shall be allowed to withdraw their respective bids without forfeiture of their bid security;

Second stage

- After agreement between the procurement committee and the bidders on the technical requirements, bidders who are willing to conform to the revised technical specifications and whose bids have not already been rejected shall submit a revised technical proposal and supplementary financial proposal, according to the technical requirement;
- The revised technical proposal and original financial proposal along with supplementary financial proposal shall be opened on respective specified time, date and venue announced in advance by the procurement committee ;
- Provided that in setting the date for the submission of the revised technical proposal and supplementary price proposal a procurement committee shall allow sufficient time to the bidders to incorporate the agreed upon changes in the technical proposal and to prepare the required supplementary financial proposal; and
- The procurement committee shall evaluate the whole proposal in accordance with the evaluation criteria and the bid found to be the *****most advantageous bid shall be accepted.

Conditions for use of single stage two envelope, two stage and two stage two envelope bidding procedures.-

Single stage one envelope bidding procedure shall ordinarily be the main open competitive bidding procedure used for most of the procurement. Other appropriate procedures of open competitive bidding shall be selected in the following circumstances, namely:-

- a) Single stage two envelope bidding procedure shall be used where the bids are to be
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evaluated on technical and financial grounds and price is taken into account after technical evaluation;

- b) Two stage bidding procedure shall be adopted in large and complex contracts where technically unequal proposals are likely to be encountered or where the Procurement Committee is aware of its options in the market but, for a given set of performance requirements, there are two or more equally acceptable technical solutions available to the Procurement Committee ; and
- c) Two stage two envelope bidding method shall be used for procurement where alternative technical proposals are possible, such as certain type of machinery or equipment or manufacturing plant

4.10 ACCEPTANCE OF BIDS AND AWARD OF PROCUREMENT CONTRACTS

Acceptance of bids.-

The bidder with the ****most advantageous bid, if not in conflict with any other law, rules, regulations or policy of ACT-INTERNATIONAL or the Federal Government, shall be awarded the procurement contract, within the original or extended period of bid validity.

Bid Discount. - shall be omitted;

Single responsive bid in goods, works and services.-

1. The Procurement Committee shall consider single bid in goods, works and services if it-
 - a) meets the evaluation criteria, ensures compliance of specifications and other terms & conditions expressed in advertisement or bid solicitation documents;
 - b) is not in conflict with any provision of the Ordinance & Statutory Law
 - c) conforms to the technical specifications;
 - d) has financial conformance in terms of rate reasonability;
 - e) Provided that except unsolicited proposal, in case of pre-qualification proceedings single bid shall not be entertained.
2. The Procurement Committee shall make a decision with due diligence and in compliance with general principles of procurement like economy, efficiency, and value for money.

4.11 Performance guarantee & Letter of Credit.-

Where needed and clearly expressed in the bidding documents, the Procurement Committee shall require the successful bidder to furnish a performance guarantee which shall not exceed ten percent of the contract amount.

Where required the Procurement Committee may incorporate the provision of letter of credit (LC) and International Chamber of Commerce incoterms, in such processes where shipments and customs clearance are involved and where the Procurement Committee bank mitigates procurement risk in terms of quality assurance and delivery mechanism and bidders bank in terms of its payments.

4.12 Limitation on negotiations.-

1. Without changing the cost and scope of work or services, the Procurement Committee may negotiate with the successful bidder (with a view to streamline the work or task execution, at the time of contract finalization) on methodology, work plan, staffing and special conditions of the contract.
2. Authority may determine the extent and types of negotiations on procurement by regulations.

4.13 Confidentiality

The Procurement Committee shall keep all information regarding the technical or final evaluation confidential, as the case may be, until the time of the announcement of the respective evaluation reports in accordance with the requirements.

4.14 Closing of contract

1. Except for defect liability or maintenance by the supplier or contractor, as specified in the conditions of contract, performance of the contract shall be deemed close on the issue of over all delivery certificate or taking over certificate which shall be issued within thirty days of final taking over of goods or receiving the deliverables or completion of works enabling the supplier or contractor to submit final bill and the auditors to do a substantial audit.
2. In case of defect liability or maintenance period, defect liability certificate shall be issued within thirty days of the expiry of the said period enabling the supplier or contractor to submit the final bill. Except for unsettled claims, which shall be resolved through arbitration, the bill shall be paid within the time given in the conditions of the contract, which shall not exceed sixty days to close the contract for final audit.

4.15 MAINTENANCE OF RECORD AND FREEDOM OF INFORMATION

Record of procurement proceedings.-

ACT-INTERNATIONAL shall maintain a record of their respective procurement proceedings along with all associated documentation for a minimum period of five years.

4.16 REDRESSAL OF GRIEVANCES AND SETTLEMENT OF DISPUTES

Redressal of grievances by the Procurement Committee. -

1. The Procurement Committee shall constitute a committee comprising of odd number of persons, with necessary powers and authorizations, to address the complaints of bidders that may occur prior to the entry into force of the procurement contract.
2. Any party may file its written complaint against the eligibility parameters, evaluation criteria or any other terms and conditions prescribed in the bidding documents if found contrary to the provisions of the procurement regulatory framework, and the same shall be addressed by the grievance redressal committee (GRC) well before the proposal submission deadline.
3. Any bidder feeling aggrieved by any act of the Procurement Committee after the submission of his bid may lodge a written complaint concerning his grievances within seven days of the announcement of the technical evaluation report and five days after issuance of the final evaluation report.
4. In case, the complaint is filed against the technical evaluation report, the GRC shall suspend the procurement proceedings.
5. In case, the complaint is filed after the issuance of the final evaluation report, the complainant cannot raise any objection on technical evaluation of the report.
6. Provided that the complainant may raise the objection on any part of the final evaluation report in case where single stage single envelope bidding procedure is adopted.
7. The GRC shall investigate and decide upon the complaint within ten days of its receipt.

4.17 Arbitration.-

After coming into force of the procurement contracts, disputes between the parties to the contract shall be settled by arbitration.

4.18 Award Contract

Action: Once a tender is approved, a contract is issued to the selected supplier. The contract should include all necessary terms and conditions, as well as delivery schedules.

Responsibility: The procurement team, in coordination with the CEO, issues the contract.

Outcome: The outcome is a legally binding contract that clearly outlines the responsibilities and expectations of both parties.