

REPUBLIC OF NAMIBIA

NATIONAL ASSEMBLY

PUBLIC PROCUREMENT BILL

(As read a First Time)

(Introduced by the Minister of Finance)

[B. 7 - 2013]

BILL

To regulate the procurement of goods and services, the letting or hiring of anything or the acquisition or granting of rights for or on behalf of, and the disposal of property of, public bodies; to establish the Procurement Policy Office, the Central Procurement Board, the procurement committees and procurement management units and provide for their powers and functions; to provide for the establishment of bid evaluation committees and provide for their powers and functions; to provide for procurement methods; to provide for bidding process, bidding challenge and review; to provide for preferences to local individuals, companies and entities; and to provide for incidental matters.

BE IT ENACTED as passed by the Parliament, and assented to by the President of the Republic of Namibia, as follows:

ARRANGEMENT OF SECTIONS

PART 1 INTRODUCTORY PROVISIONS

1. Definitions
2. Application of Act
3. Objects of Act
4. Determination of procurement policy and declaration as public body
5. International obligations

PART 2 PROCUREMENT POLICY OFFICE

6. Procurement Policy Office
7. Powers and functions of Policy Office
8. Executive Director and directors
9. Disqualification for appointment as Executive Director or director
10. Appointment of staff of Policy Office

PART 3 CENTRAL PROCUREMENT BOARD

11. Establishment of Central Procurement Board
12. Powers and functions of Board
13. Disqualification for appointment as member of Board
14. Vacation of office as member of Board and filling of vacancies
15. Meetings and decisions of Board
16. Committees of Board
17. Delegation and assignment by Board
18. Chief Executive Officer of Board
19. Staff of Board
20. Funds of Board
21. Financial year of Board

22. Annual plan of Board
23. Accounting and auditing
24. Annual report of Board
25. Exemption of Board from taxes, duties and levies
26. Winding up of Board

PART 4

PROCUREMENT COMMITTEES, PROCUREMENT MANAGEMENT UNITS AND BID EVALUATION COMMITTEES

27. Function and powers of accounting officers relating to procurement committees and procurement management units and bid evaluation committees
28. Establishment of procurement committees
29. Constitution of procurement committees
30. Powers and functions of procurement committees
31. Proceedings of procurement committees
32. Establishment of procurement management units
33. Assignment of staff members of procurement management units
34. Functions of procurement management units
35. Proceedings of procurement management units
36. Bid evaluation committees

PART 5

METHODS OF PROCUREMENT

37. Choice of procurement methods
38. Procurement under framework agreement
39. Open advertised bidding
40. Open national bidding
41. Open international bidding
42. Restricted bidding
43. Request for sealed quotations
44. Emergency procurement
45. Execution by public bodies
46. Request for proposals
47. Direct procurement
48. Unsolicited proposals
49. Reverse auction

PART 6

BIDDING PROCESS

50. Application of this Part
51. Authorisation to procure above prescribed threshold
52. Pre-qualification proceedings
53. Bidding documents
54. Two-stage bidding
55. Bid security
56. Submission of bids
57. Deadline for submission of bids
58. Withdrawal and modification of bids
59. Bid validity period
60. Prohibition of disqualified bidders and suppliers from participation

