



16th December 2019

The Chairman
Senate Committee on the Federal Capital Territory Administration
Three Arms Zone
Abuja

OFFICE OF THE DEPUTY SPEAKER
NATIONAL ASSEMBLY
RECEIVED
DATE 14/1/20

Dear Sir,

DEMAND FOR PROBE OF THE BIDDING PROCESS AND THE INVITATION TENDER

The above subject matter refers and this petition is based on the mandate of our organization to protect and promote universally recognized human rights, accountability and environmental justice in Nigeria and Africa, in accordance with international standards.

On the 1st July, 2019, the Federal Capital Territory Administration (FCTA) caused to be published on page 34 of 'The Nation' newspaper a **"NOTICE OF CANCELLATION OF PROCUREMENT PROCESS AND INVITATION OF FRESH TENDER IN RESPECT OF PROVISION OF WASTE COLLECTION AND MANAGEMENT AT THE VARIOUS DELINEATED DISTRICTS OF THE FEDERAL CAPITAL CITY (FCC) BY THE ABUJA ENVIRONMENTAL PROTECTION BOARD UNDER THE 2017 FINANCIAL YEAR"**.

On that same page 34 to page 35 of 'The Nation' newspaper, it was also published that **"INVITATION TO TENDER IN RESPECT OF PROJECTS FOR SOME SDAs UNDER THE FEDERAL CAPITAL ADMINISTRATION (FCTA) UNDER THE 2018 STATUTORY BUDGET/2019 STATUTORY BUDGET PROPOSAL"**. The Invitation to Tender invited competent and interested companies to submit Technical and Financial bids for 2 categories of projects: **Project A** under the **Abuja Environmental Protection Board** had 47 lots numbered from **NC7. AEPB 1 - NC7.AEPB 47** while **Project B** under the **Abuja Metropolitan Management Council** had 3 lots numbered from **NC7. BAMMC 1 - NC7. BAMMC 3**. As stated on page 35 of the newspaper publication, upon presentation of evidence of payment of non-refundable Tender Fee of N10,000 for the respective projects of interest, interested companies are to collect Tender Documents for the procurement.

A detailed scrutiny of The Tender Documents for each of the 47 lots in Project A under the Abuja Environmental Protection Board indicated that the project is for Solid Waste Collection & Management Services for Three (3) Years Period and contains instructions to Tenderers as well as general conditions of the contract and contract sums for each lot. Embedded within the Tender documents is the supply of different types of operational vehicles, one vehicle per lot. Some of the vehicles expected to be supplied at the commencement of the contract when awarded include Toyota Yaris, Toyota Hilux, and Toyota Camry. Also imbedded in the Tender documents are HP computers, laptops, printers and other office equipment of different specifications.

"INVITATION TO TENDER IN RESPECT OF PROJECTS FOR SOME SDAs UNDER THE FEDERAL CAPITAL ADMINISTRATION (FCTA) UNDER THE 2018 STATUTORY BUDGET/2019 STATUTORY BUDGET PROPOSAL" Commingled the Solid Waste Collection and Management Services tender with vehicle supply and information technology systems which is a complete breach of the public Procurement processes and model of the vehicles and IT equipment to be supplied as mentioned and go contrary to the Public Procurement Act of 2007 and other extant procurement laws and policies of the Federal Government.

In a Circular from the Office of the Secretary to the Government of the Federation with Ref. No. SGF.6/S.12/C.2/11/788 dated the 17th of July 2012, Guidelines were issued for the Purchase of locally assembled computers to all Federal institutions and agencies in accordance with the **National Information Development Agency Act of 2007**.

Section 2(e) of the Circular which provides for Requirements during Procurement Process provides as follows:

Procuring Entities shall:

- (i) *prior to tender, obtain the technical advice of NITDA (to be given not later than 15 days from date of the request) on the configuration of the information systems suitable for the purpose intended.*
- (ii) *Incorporate the specifications and configurations advised by NITDA in their bid and tender documents.*
- (iii) *Without naming the brands of the products, include in the invitation to tender such statements which indicate that the items for bidding shall be locally manufactured or assembled brands.*

The invitation to tender is in complete departure from the circular which was deliberately issued to promote local products, boost the economy, create employment and strengthen the Naira.

Also, in accordance with a Circular from the Office of the Secretary to the Government of the Federation with Ref. No. SGF.OP/1/S.3/VIII/250 dated 12th of April, 2011, all MDAs were directed by the President to patronize only vehicles made in Nigeria by the local Assembly plants. However, where vehicles required are not available from the local assembly plants at the time of need, necessary clearance must be obtained from Mr. President through the Office of the SGF before other alternative brands are procured.

From the above relayed, it is clear from the tender process and documents obtained from FCTA, the provisions of the Circulars referred for the Provisions of the National Information Development Agency Act of 2007 and circular from the Secretary to the Government of the Federation were not complied with.

Following the above relayed, we wrote a petition to the Minister of the Federal Capital Territory Administration dated the 7th October, 2019 demanding the cancellation of the **"INVITATION TO TENDER IN RESPECT OF PROJECTS FOR SOME SDAs UNDER THE FEDERAL CAPITAL ADMINISTRATION (FCTA) UNDER THE 2018 STATUTORY**

BUDGET/2019 STATUTORY BUDGET PROPOSAL”, without further delay. The copy of the petition is hereby enclosed for ease of comprehension.

Based on the above relayed, we hereby write this demand to the committee to take immediate, prompt and proper action against the Minister of the Federal Capital Territory Administration with a view to ensuring that all extant rules and regulations are duly complied with.

Our request is founded on our mandate to promote transparency, accountability and good governance to keep the nation sanity and to foster the course of ridding the nation of every form of corruption across all levels of government.

We thank you for your prompt response.

Yours faithfully,

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Olanrewaju Suraju
Chairman

CC:

The President of the Senate
National Assembly

The Chairman
House Committee on the Federal Capital Territory Administration
Three Arms Zone
Abuja

The Speaker
Federal House of Representatives
National Assembly

