



LAGOS STATE GOVERNMENT

Ref.No.CIR/HOS/'14/Vol.1/034

Office of the Head of Service,
Public Service Office,
The Secretariat,
Alausa Ikeja.

28th March, 2014

CIRCULAR NO:034

THE DEPUTY GOVERNOR,
THE RT. HONOURABLE SPEAKER OF THE HOUSE OF ASSEMBLY,
HONOURABLE COMMISSIONERS,
SECRETARY TO THE STATE GOVERNOR,
CHIEF OF STAFF,
DEPUTY CHIEF OF STAFF,
SPECIAL ADVISERS,
PERMANENT SECRETARIES/TUTORS-GENERAL,
CLERK, STATE HOUSE OF ASSEMBLY,
STATE AUDITOR-GENERAL,
CHAIRMEN, LOCAL GOVERNMENT COUNCILS/LOCAL COUNCIL DEV. AREAS,
CHAIRMAN, CIVIL SERVICE COMMISSION,
CHAIRPERSON, JUDICIAL SERVICE COMMISSION,
CHAIRMAN, LOCAL GOVERNMENT SERVICE COMMISSION,
CHAIRMAN, HEALTH SERVICE COMMISSION,
CHAIRMAN, STATE UNIVERSAL BASIC EDUCATION BOARD,
CHAIRMAN, LAGOS STATE INDEPENDENT ELECTORAL COMMISSION,
CHAIRMAN, LAGOS STATE HOUSE OF ASSEMBLY SERVICE COMMISSION,
CHAIRMAN, LAGOS STATE PRIMARY HEALTHCARE BOARD,
CHIEF EXECUTIVES OFFICER, LAGOS STATE INTERNAL REVENUE SERVICE,
HEADS OF EXTRA-MINISTERIAL DEPARTMENTS,
CHIEF EXECUTIVES OFFICER OF PARASTATAL ORGANISATION,
CHIEF REGISTRAR OF HIGH COURT OF LAGOS STATE,
HEADS OF TERTIARY INSTITUTIONS,
CHIEF EXECUTIVES OFFICER /MEDICAL DIRECTORS OF HOSPITALS,
COUNCIL MANAGERS OF LOCAL GOVERNMENTS/LOCAL COUNCIL DEV. AREAS,
HOSPITAL ADMINISTRATORS,

PUBLIC PROCUREMENT:-

ADVERTISEMENT OF CONTRACTS IN THE STATE TENDERS JOURNAL AND OTHER MEDIA BY MINISTRIES, DEPARTMENTS, PARASTATALS AND AGENCIES (MDAs)

Further to the Head of Service Circular Ref No.017 of 24th January, 2014, I wish to notify for general information that the transition period from the old procurement regime to the new procurement process prescribed by the Law ends on the 31st March, 2014. Consequently, with effect from the **1st April, 2014**, all procurements by Ministries, Departments and Agencies (MDAs) shall be in accordance with the provisions of Lagos State Public Procurement Law.

2. As matter of compelling necessity, MDAs are hereby requested to advertise contracts within the Open Competitive Threshold of **₦100m (One Hundred Million Naira)** and above for placement in the State Tenders Journal in addition to other media as provided in Sections 32((2) and (3) of the law which provides that,

(i) Invitation for bids in respect of contracts within the International Competitive Bidding (ICB) threshold shall be advertised in at least two (2) national newspapers, one (1) relevant internationally recognised newspaper, the official website of the Procuring Entity, the Agency and the State Procurement Journal; and

(ii) Invitation for bids, in respect of contracts within the National Competitive Bidding (NCB) threshold shall be advertised on the notice board of the Procuring Entity and State Procurement Journal

3. Consequently, for both International Competitive Bidding and National Competitive Bidding, the invitation for bids shall be advertised in the State Procurement Journal (known as "the State Tender's Journal") and such advertisements shall be forwarded to the Agency for placement in the Agency website and Tenders Journal not later than **5 weeks** in the case of International Competitive Bidding and **3 weeks** for National Competitive Bidding before the date of bid opening respectively.

4. However, it should be noted that failure to place advertisements for contracts within the Open Competitive Threshold to cover the required time frame will cause undue delay in the award of such contracts. MDAs are therefore advised using the timeframe projected in their procurement plans to timely place necessary advertisements.

5. It is important to reiterate here that MDAs which are yet to form **Procurement Planning Committee** and prepare their procurement plans should do so in line with Sections 26 and 27 of the Procurement Law which provides;

Section 26 – subject to regulations as may from time to time be issued by the Agency a Procurement Entity shall plan its procurement and by Section 26 (g) the Procurement Plan shall be carried out by a Procurement Planning Committee.

Section 27 - For each financial year, each procuring entity shall establish a Procurement Planning Committee.

6. Accordingly, the functions of the **Procurement Planning Committee** as listed in section 26(a-f) of the Procurement Law are stated thus:

- a. *Preparing a needs assessment and evaluation;*
- b. *Identifying based on (a) above, the goods, works or services required;*
- c. *Preparing an analysis of the cost implications of the proposed procurement;*
- d. *Aggregating its requirements whenever possible, both within the procuring entity and between procuring entities, to obtain economy of scale and reduce procurement cost;*
- e. *Integrating its procurement expenditure into its yearly budget; and*
- f. *Ensuring that no reduction of values or splitting of procurements is carried out such as to evade the use of the appropriate procurement method.*

7. For further enquiries and clarifications please contact:

The General Manager/CEO

Lagos State Public Procurement Agency

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The Secretariat

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Lagos State

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8. Kindly give this circular the widest publicity it deserves and ensure compliance.



F.A. O. Akodu
Permanent Secretary (PSO)
for: HEAD OF SERVICE