



Promoting Transparency and
Efficiency in Public Procurement

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To: All Permanent Secretaries, Regional Executive Officers, Heads of Agencies & Heads of Departments
From: Chairperson, Public Procurement Commission
Date: March 27, 2023
Subject: **Suspension and Debarment – Responsibilities of Procuring Entities and Evaluation Committees**

In accordance with Regulation 5 of the Procurement (Suspension and Debarment) Regulations 2019 made under the Procurement Act (Cap 73:05), the Public Procurement Commission maintains a public register of all suspended or debarred suppliers and contractors, which is published on the website of the Commission.

The Commission, therefore, wishes to remind procuring entities of the following:

1. No procuring entity shall-

- (a) Solicit or accept bids, proposals or quotations from a debarred supplier or contractor;
- (b) Consider bids, proposals or quotations submitted by a debarred supplier or contractor prior to the suspension or debarment.
- (c) Any suspension or debarment of a potential bidder or supplier under these Regulations shall not affect any existing contract entered into between the supplier or contractor and the procuring entity.
- (d) No supplier or contractor shall subcontract with any supplier or contractor that is subject to a debarment or suspension order.
- (e) No procuring entity shall give consent to any subcontract with any supplier or contractor that is subject to a debarment or suspension order.
- (f) Every supplier and contractor participating in the procurement process shall declare to the procuring entity whether the supplier or contractor has subcontracted with another supplier or contractor that is the subject of a debarment or suspension order. (This requirement should be included in the bidding document, request for quotation or request for proposal issued by the procuring entity).

(g) Any supplier or contractor that contravenes sub-regulation listed at (d) above shall be disqualified from the bidding process.

2. **Evaluation Committees** appointed to evaluate tenders at all levels of review must:
(a) check the public register to verify that those tenderers recommended for contract awards, and their affiliates, have not been debarred by the Public Procurement Commission from participating in public procurement.

(b) Include in the Evaluation Report for each tender, the following clause:

'The Evaluation Committee has verified that the recommended tenderer and affiliates are not included in the register of all suspended or debarred suppliers and contractors posted on the website of the Public Procurement Commission.'

Procuring entities may contact the Commission for any further advice or guidance on the above.



Michael Singh
Chief Executive Officer

cc: Chairman, National Procurement and Tender Administration Board