



Promoting fairness, transparency and efficiency in public procurement

Public Procurement Commission

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To: All Permanent Secretaries, Chief Executive Officers, Regional Executive Officers, Heads of Procuring Agencies, and Heads of Department

From: Ms. Pauline Chase, Chairperson, Public Procurement Commission

Date: May 29, 2023

Subject: **Requirement for notice to unsuccessful bidders of contract**

Section 43 of the Procurement Act, Cap. 73:05 mandates that-

“Upon the entry into force of the contract and, if required by the tender documents, the provision by the supplier or contractor of a security or performance bond for the performance of the contract, notice shall be given to other supplier or contractors, who had tendered specifying the name and address of the supplier or contractor that has entered into the contract and the contract price.”

This circular serves as a reminder that public procuring entities must give notice to all unsuccessful bidders when the contract for which they tendered is entered into, setting out-

- i. the name and address of the supplier or contractor that has entered into the contract, and
- ii. the contract price.

The Public Procurement Commission urges strict compliance with the aforesaid legislative requirements as they promote transparency and in turn confidence in the public procurement system.

Pauline Chase (Ms.)

Chairperson

CC: Chairman, National Procurement and Tender Administration Board