

AUTOMATIC DEBARMENT

Regulation 3(2) of the Procurement (Suspension and Debarment) Regulations 2019 provides that-

“Any supplier or contractor who has been debarred from participating in the procurement process of another jurisdiction or an international organization shall be AUTOMATICALLY DEBARRED from participating in a procurement process in Guyana by the [Public Procurement] Commission”

A list of debarred contractors can be found on our website:
<https://ppc.org.gy/debarred-contractors/>

Visit our website <https://ppc.org.gy> for more information and to access relevant Application Forms.




PUBLIC PROCUREMENT COMMISSION

OUR MISSION


To ensure that the procurement of goods, services and execution of works is done in an equitable, transparent, competitive and cost effective manner according to law.



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DEBARMENT BROCHURE

*“Promoting fairness,
transparency
and efficiency
in public procurement”*

The Public Procurement Commission (PPC) is mandated by S. 17(2)(f) of the Procurement Act, Cap. 73:05 to adjudicate debarment proceedings.

DEBARMENT PROCEDURE

The procedure for Debarment (or Suspension) is laid out in the Procurement (Suspension & Debarment) Regulations 2019.

- A procuring entity or any other person may submit a proposal to the Public Procurement Commission for the debarment of a supplier or contractor.
- The Commission is required to issue its decision within sixty (60) days of receiving the proposal for debarment.
- The decision of the Commission may be appealed to the Public Procurement Commission Tribunal
- A debarment period may be for a minimum of one (1) year but no more than ten (10) years.
- On debarment, a procuring entity SHALL NOT:
 - solicit or accept bids, proposals or quotations from a debarred supplier or contractor, nor
 - consider bids, proposals or quotations submitted by a debarred supplier or contractor prior to the debarment.
- A debarred contractor or supplier may apply to the Public Procurement Commission for a reduction in the duration of the debarment period or its termination.

GROUND FOR DEBARMENT

Pursuant to Regulation 3 of the Procurement (Suspension & Debarment) Regulations 2019, the Commission may debar or suspend a contractor and or supplier where it is proven that the contractor and or supplier-

- committed an offence relating to procurement under any law;
- committed an obstructive or prohibitive practice;
- committed a specified offence in the Schedule under the Environmental Protection Act;
- committed an offence under the Anti-Money Laundering and Counter the Financing of Terrorism Act;
- committed a serious violation of fair employment laws including those under the Environmental Protection Act, National Insurance and Social Security Act, Labour Act and Occupational Safety and Health Act;
- defaulted on tax obligations;
- breached a public procurement contract;
- supplied false information in the process of submitting a bid or prequalification application;
- colluded with a bidder or public official concerning the formulation of any part of the bidding documents;
- through coercion or connivance, interfered with the participation of competing bidders;
- has lost right to do business or practice a profession as a result of a revoked or suspended licence;
- has been debarred from participating in the procurement process of another jurisdiction or an international organization.

APPLICATION FOR REDUCTION OR TERMINATION OF DEBARMENT

Regulation 12(2) of the Procurement (Suspension & Debarment) Regulations 2019 provides that a debarred contractor or supplier may apply **IN WRITING** to the Public Procurement Commission (PPC) for a reduction in the duration of the debarment period or its termination, for any of the following reasons which must be detailed in the application-

- newly discovered material evidence or documentable error in the findings of the Commission's decision;
- reversal of the conviction or judgment on which the debarment is based and where the conviction or judgment was based on an admission of conduct that was the cause for debarment, the Commission shall determine whether such admitted conduct negatively affects the responsibility of the supplier or contractor;
- bona fide change in ownership or control of the supplier or contractor;
- disciplinary action has been taken against all persons responsible for the acts giving rise to the debarment;
- remedial action has been taken designed to prevent a recurrence of the acts giving rise to the debarment;
- that the past conduct of the debarred supplier or contractor does not indicate a pattern or history of similar acts;
- any other factor, which in the judgment of the Commission, removes the conditions giving rise to the conduct that led to the debarment.