



SUMMARY OF FINDINGS

PPC FILE NO. 006/2024/INV

FEBRUARY 13, 2025

SUMMARY OF FINDINGS

PPC File No.	006/2024/INV
Complainant	Colin Oswald Mohamed trading under the name style and title and registered proprietor of C.O.M. CHARTERED ACCOUNTANTS
Tender/Contract Reference No.	N/A
Procuring Entity	The Guyana Wildlife Conservation and Management Commission
Evaluation Board	Tender Board of The Guyana Wildlife Conservation and Management Commission

Background

[1] By way of letter dated September 4th, 2024, and received on September 6th, 2024, the Public Procurement Commission ('PPC') ('the commission') received a request for an investigation from Colin Mohamed, MBA, CPA, CGMA also known as Colin Oswald Mohamed, trading under the name style and title and registered proprietor of C.O.M. CHARTERED ACCOUNTANTS ('the complainant'), into a contract award made by The Guyana Wildlife Conservation and Management Commission ('GWCMC') ('the procuring entity'). The contract award concerned the preparation of financial statements for GWCMC for the fiscal years 2022 and 2023.

[2] The commission first requested and obtained a legal opinion from its Legal Department as to whether GWCMC, a statutory body established pursuant to the Wildlife Conservation and Management Act, 2016, fell within the meaning of a "procuring entity" under the Procurement Act, Cap. 73:05 and thereby under the purview of the PPC.

[3] On receipt and acceptance of advice rendered in the affirmative, the commission further communicated with the complainant by way of letters dated October 18th, 2024, and November 7th, 2024. The commission brought to the attention of the complainant, Part VII of the Procurement Act, Cap. 73:05 ('the Act') which sets out the procedure for a bidder to challenge the rejection of his bid. The complainant was also directed to the applicable '*Bid Protest*' and '*Administrative Review*' Forms on the commission's website and was also invited to contact the commission's Operation's Department should he further require any procedural guidance.

[4] In response, the complainant, on November 25th, 2024, submitted to the commission, a '*Bid Protest*' Form.

[5] The commission on December 30th, 2024, requested from the complainant, the Contract ID Number for the tender in issue, same not being stated on the submitted '*Bid Protest*' Form by the complainant and or his originating letter of September 4th, 2024.

[6] By way of letter dated January 9th, 2025, and received on January 13th, 2025, the complainant responded that he was not supplied with a Contract ID Number and attached a copy of a part of the published Invitation For Bids ('IFB').

[7] By way of letter dated January 16th, 2025, the commission requested from the procuring entity, a complete copy of the tender proceedings, including the “bidding documents” referred to in the IFB, bids received, Report of the Evaluation Committee and contract award, within five (5) business days of the said letter. The allegations of the complainant were also put to the procuring entity who were invited to submit a response thereto.

[8] The complainant alleged that:

- The complainant was present at the “opening of bids” on July 12th, 2024, along with three (3) members of the Evaluation Committee and Ms. Jerusha Dos Santos, Administrative Officer of GWCMC.
- Two (2) “bids” were opened, to wit, one (1) from the complainant and one (1) from Zoë Perissos Business Services.
- On opening, submitted “bid documents” were examined by the Evaluation Committee in the presence of the complainant whereby it was noted by the Evaluation Committee that the business registration document(s) of Zoë Perissos Business Services had expired and therefore did not satisfy the evaluation criteria to be considered, and that tenderer was thus “promptly” disqualified and excluded.
- The complainant was thereat verbally informed that he had won the bid and would formally be notified in writing in subsequent weeks after the documentation was completed.
- Between July 12th, 2024, to September 3rd, 2024, the complainant made several follow-up enquiries by email and telephone calls with the aforementioned officer, of the procuring entity. Namely, Ms. Jerusha Dos Santos who informed him that the bid was in the finalization process and that he would be sent the contract upon completion of the process.
- On further enquiry on September 3rd, 2024, the complainant was then informed that the bid was awarded to Zoë Perissos Business Services.

[9] The procuring entity duly and somewhat promptly replied to the commission by way of letter under the hand of Ms. Jerusha Dos Santos, Administrative Officer, dated January 23rd, 2025, and received on January 27th, 2025. In addition to submitting documents, the procuring entity denied allegations of the complainant, to wit:

- The complainant was never informed verbally or otherwise that he had won the award and that a contract would be sent after it was finished, “since the matter had to be sent to the Finance Sub-Committee, and subsequently, to GWCMC for an official decision.”
- The complainant was informed that the matter was under review when he contacted the procuring entity and queried about the status of the process.
- The procuring entity denied that, and contended as erroneous, the allegation that the complainant would be sent a contract upon completing the process.
- The complainant was informed verbally after the recommendations were received by GWCMC regarding the status of the award and the complainant indicated his intention to file an official complaint.

[10] The procuring entity further informed the commission that on opening and examination of the bids:

“... evaluation revealed that C.O.M. Chartered Accountants did not submit a valid NIS compliance... Mr. Mohammed, the representative from C.O.M. Chartered [Accountants], indicated on July 12th [the day of the bid opening] that the company has a valid NIS Compliance and that this would be submitted before the end of the day. The complainant was given under July 19th to submit the compliance.

Mr. Mohamed contacted the Commission via telephone on July 12th, 2024, after the bid process, on behalf of C.O.M. Chartered Accountants. He contentiously stated that attempts were made to disenfranchise the company and that I [Administrative Officer of the procuring entity] was dishonest because they were asked to provide a valid NIS Compliance. Subsequently, the NIS Compliance was received via email from C.O.M. Chartered Accountants on July 15th, with a validity period from 15th July 2024 to 14th October 2024.”

[11] With regard to the allegation that Zoë Perissos Business Services had not submitted a valid business registration as required by the Evaluation Criteria, the procuring entity stated that-

“While completing the evaluation report and further examining all documents supplied by both companies, it was discovered that Zoë Perissos Business Services had indeed submitted a valid Business Registration, with its validity period documented as 7/3/2025. This information was shared with the three evaluators. The new findings were presented to the Commission’s Finance sub-committee for further advice. Based on the recommendation of the Finance sub-committee, the GWCMC agreed that Zoë Perissos Business Services was the more responsive bidder.”

[12] By way of letter dated January 31st, 2025, the commission invited the procuring entity to provide, within five (5) business days of the date thereof, further details surrounding the circumstances which gave rise to the aforementioned discovery of the business registration of Zoë Perissos Business Services.

[13] Additionally, since the complainant had not mentioned, disclosed and or referred to the non-submission of a valid NIS compliance by him, at the time of opening as alleged by the procuring entity, same was put to him also by way of letter dated January 31st, 2025 and a copy of the relevant document(s) forming part of the submitted record by the procuring entity to the commission were included. The denials of the procuring entity were also put to him. A response was invited within five (5) business days of the date thereof.

[14] The GWCMC responded by way of letter dated February 6th, 2025, and received by the commission on February 7th, 2025 under the hand of Ms. Jerusha Dos Santos, Administrative Officer of GWCMC which stated-

“During the evaluation process, the validity stamps on the second page were examined by the evaluation committee. However, at the time, based on the legibility of the numbers, the committee interpreted the year on the last stamp at 2023 and not 2025. Subsequently, the dates on all three stamps were compared and it was discovered that the stamp to the far left-hand corner before the date 7/2/2023; the stamp affixed to the center bore the date

7/3/2024. This was a clear indication that the stamps were placed sequentially. This provoked a closer examination of the final stamp, revealing that the date was 7/3/2025 and not 7/3/2023.”

[15] The complainant in his response by way of letter dated February 5th, 2025, and received by the commission on February 10th, 2025, stated-

*“We wish to make reference to point number 2, which states that **“Or copy of NIS registration for businesses registered in the last year”**. The qualification criteria clearly stated that an NIS compliance was not required for businesses registered within the last year. Our firm was registered on the 21st of September, 2023. Attached is a copy of our registration, which was submitted to the Commission as a part of our bid.*

On the 12th of July 2024 (the day of the bid opening), we were asked to provide an NIS compliance, which the bidding document clearly stated was not required. We were given up to the 19th of July 2024 to submit the compliance. The compliance was submitted on the next working day, the 15th of July 2024

We did not include a NIS compliance in our bid proposal, because the bidding document provided by the Commission [GWCMC] clearly stated it was not necessary for businesses registered within the last year. We found it frustrating that we were being asked to provide something that the bidding document stated was not required.”

[16] Receipt of both responses were acknowledged by the commission on February 12th, 2025.

Analysis

a. Procedure

[17] Part VII of the Procurement Act, Cap. 73:05 provides for and sets out the procedure for a bidder to challenge the rejection of its bid.

[18] S. 52 thereof mandates that -

“(1) A bidder whose tender or proposal has been rejected may submit a written protest to the procuring entity.

(2) The protest may pertain to the pre-qualification or tendering proceedings or to the method of procurement selected by the procuring entity.

(3) The protest must be submitted within five business days following publication of the contract award decision.”

[19] Accordingly, a complainant must first submit a ‘*Bid Protest*’ to the procuring entity, within the stipulated time, if he wishes to challenge the rejection of his bid. The submission of the ‘*Bid Protest*’ by the complainant to the commission, instead of the procuring entity, was therefore not in order.

[20] There is nothing before the commission to show that the aforesaid statutory procedure was complied with by the complainant or that it could have been complied with. The record before the commission does not show that the contract award decision was published. It is from this date that the time to submit a protest to the procuring entity runs. It was therefore not possible for the complainant to comply with the aforesaid statutory procedure.

[21] Section 11 of the Procurement Act, Cap. 73:05 provides that-

“(1) The procuring entity shall publish notice of procurement contract awards within seven days of awarding such contracts.

“(2) The procurement regulations shall provide for the manner of publication of the notice required by subsection (1).”

[22] The Procurement Regulations 2004, Part II thereof, gives effect thereto.

[23] Regulation 4(1) provides that-

“The Administration [defined in Section 2(a) of ‘the Act’ as NPTAB] shall create an Internet Website for the purpose of giving publicity to contract awards and to otherwise disseminate information about public procurement.”

[24] Regulation 4(2) provides that-

“Within five days of dispatching notice concerning the award of any contract exceeding \$1,500,000.00 (one million and five hundred thousand dollars)¹ in value, the procuring entity shall provide a report to the Administration with the following information about the contract”

[25] Regulation 4(3) provides that-

“Within two days of receiving any report of the type mentioned in the preceding paragraph, the Administration shall publish information obtained on the Website.”

[26] Regulation 4(2) therefore provides a threshold value for the publication of contract awards which is not provided for in the substantive legislation. The relevant Section of ‘the Act’ contains no limiting words and thereby does not in any way limit which contract awards are to be published, whether by value or otherwise. Section 11 simply states that, “*the procuring entity shall publish notice of procurement contract awards within seven days of awarding such contracts.*” This is an

¹ Amended by Procurement (Amendment) Regulations 2016

inconsistency between the Act and the Regulations which ought to be corrected based on policy, transparency and accountability considerations.

[27] However, in order to address the concerns of the complainant, the commission in exercise of its wide constitutional mandate and functions pursuant to Articles 212W and 212AA(1)(i) of the constitution, initiated an investigation to determine whether there was any irregularity or mismanagement in the rejection of the bid of the complainant, as alleged, or otherwise.

[28] Article 212AA(1)(i) vests the commission with the function to-

“investigate cases of irregularity and mismanagement, and propose remedial action;”

[29] As already considered by the commission², this function is wider than the other investigative functions of the commission enshrined in the constitution, to wit, Article 212AA(1)(h) & (j).

b. Methodology

[30] The commission adopted its following established methodology:

- i. Request all relevant documentation and review the subject tender proceedings to determine whether any irregularities as alleged or otherwise appear thereon.
- ii. If so, bring the irregularities and or mismanagement to the attention of the procuring entity and subject tender board for an explanation together with a request (if applicable) for remedial action within a certain time frame.
- iii. The complainant is informed accordingly thereafter.

[31] The commission considered the following documents-

- i. Letter dated September 4th, 2024, and received on September 6th, 2024, from the complainant to the commission.
- ii. Memorandum dated September 23rd, 2024, from the Legal Department, PPC.
- iii. Letter dated October 18th, 2024, from the commission to the complainant.
- iv. Letter dated November 7th, 2024, from the commission to the complainant.
- v. Email dated November 25th, 2024, from the complainant to the commission.
- vi. Letter dated December 30th, 2024, from the commission to the complainant.

² Summary of Findings – Correia & Correia (June, 2024); Summary of Findings – Construction of Belle Vue Pump Station (April, 2024)

- vii. Letter dated January 9th, 2025, and received on January 13th, 2025, from the complainant to the commission.
- viii. Letter dated January 16th, 2025, from the commission to the procuring entity.
- ix. Letter dated January 23rd, 2025, from the procuring entity to the commission.
- x. Memorandum dated January 29th, 2025, from the Operations Department.
- xi. Acknowledgment of Receipt Letter dated January 30th, 2025, from the commission to the complainant.
- xii. Memorandum dated January 30th, 2025, from the Legal Department.
- xiii. Letter dated January 31st, 2025, from the commission to the procuring entity.
- xiv. Letter dated January 31st, 2025, from the commission to the complainant.

c. Evaluation

[32] The record of the tender proceedings before the commission, submitted by the procuring entity, reveals that the procuring entity employed the ‘*Request For Quotations*’ (‘RFQ’) method of procurement, which is governed by Section 27, under Part IV of the Procurement Act, Cap. 73:05.

[33] From the copy of the ‘*Invitation for Bids*’ (IFB)³ submitted by the complainant, “interested bidders” were therein *inter alia* notified as to the availability of “Bidding Documents”, the time for submission and the date for opening of bids. The date for submission of bids was given as July 8th, 2024, and opening thereof as July 12th, 2024.

[34] The commission observed that the publication did not state and thereby did not communicate that the Request for Quotations (RFQ) method of procurement would be used. It is the considered view of the commission that the method of procurement to be used should be clearly communicated at the outset, at solicitation, so that tenderers would be aware of the process to be used, since the process differs depending on the method, and what is required of them.

[35] Two (2) submissions were received, one (1) from the complainant and the other from Zoë Perissos Business Services, who was awarded the contract.

[36] Both prices were within the statutory threshold for the use of the RFQ method of procurement.⁴ That procurement method was therefore properly used and there was accordingly

³ Appendix A

⁴ Procurement (Amendment) Regulations 2019 – The threshold for the use of the request for quotations method of procurement shall be \$3,000,000.00

no irregularity in its use.

[37] The complainant quoted **\$1,200,000.00** (one million and two hundred thousand dollars) and Zoë Perissos Business Services quoted **\$1,000,000.00** (one million dollars). The latter was therefore the lower of the two quotations.

[38] Section 27(5) of ‘the Act’ mandates that-

“The procurement contract shall be awarded to the supplier or contractor that submitted the lowest-priced quotation that complied with the requirements of the invitation.”

[39] The complainant however alleged that although Zoë Perissos Business Services was the lower of the two quotations, it had not in fact complied with the requirements of the invitation. Particularly, it was disqualified and/or ought to have been disqualified for not submitting a valid business registration as required by the Evaluation Criteria.

[40] Criterion No. 1 of the seven listed Evaluation Criteria required -

*“Submission of a **valid** business registration or certificate of incorporation that is **clearly legible.**”*

[41] The Evaluation Criteria expressly stated therein that a *“Successful bidder must obtain all passes (YES) as listed in the evaluation criteria ... to be considered for financial assessment.”*⁵

[42] It appears from the response of the procuring entity⁶, that although it first appeared that Zoë Perissos Business Services, as alleged by the complainant, had not submitted a valid business registration as required, further checks revealed that it had in fact done so.

[43] The copy of the Certificate of Business Registration for Zoë Perissos Business Services submitted by the procuring entity to the commission as part of the record of the tender proceedings reflects on its face, a date of validity to March 7th, 2025.⁷

[44] Nonetheless, such matters, including whether the complainant was informed verbally or not that he was or would be awarded the contract and or that Zoë Perissos Business Services was disqualified, are immaterial in light of a valid business registration of Zoë Perissos Business Services being on the record. The commission notes that the date of recordal of the renewal for the period up to March 7th, 2025, is endorsed thereon as March 8th, 2024, that is, prior to the opening on July 12th, 2024.

[45] With regard to the aforementioned circumstances surrounding his NIS compliance of the complainant, Evaluation Criterion No. 2⁸ required-

⁵ Ibid

⁶ Pg. 3 above

⁷ Appendix B

⁸ Appendix C

“Submission of a valid NIS compliance certificate in the name of the business as per business registration. Document must be clearly legible, Or copy of NIS registration for business registered in the last year.”

[46] The copy of the Certificate of Registration on record for the complainant is dated January 16th, 2024, with registered effect from January 10th, 2024.⁹ It would therefore appear therefrom that the business of the complainant was registered within “*the last year*” (whether taken from the date of bid opening or ‘IFB’).

[47] The complainant was therefore, by the Evaluation Criteria, and as he contended that he maintained with the procuring entity, required to submit a copy of the “*NIS registration for [the] business*”.

[48] On the record is a copy of an undated “*Registration as an Employer*” from the National Insurance Scheme (‘NIS’) addressed to the complainant, “*Colin Mohamed T/A C.O.M. Chartered Accountants*”. Also included in the record, is a copy of a “*Notification of Registration of Employer*” issued by NIS and dated September 21st, 2023. It therefore predates the Certificate of [Business] Registration of the complainant and is within a year of the bid opening which was on July 12th, 2024.

[49] It appears however that the procuring entity was of the view that “*a valid NIS compliance*” was required of the complainant and so demanded. In addition to the aforementioned¹⁰, the signed but undated “*Report of Bid Opening*” submitted the commission stated –

“C.O.M. Chartered Accountants had submitted a notification of registration for NIS and not a compliance. As such, the company was asked to submit the compliance no later than Friday, July 19th, 2024.... NIS compliance was received from C.O.M. Chartered Accountants on Monday, July 15, 2024.”

[50] It further appears from the aforementioned letter from the procuring entity to the commission dated January 23rd, 2025, that the complainant had expressed concern over being required to submit a “*a valid NIS compliance*” in the circumstances –

“Mr. Mohamed contacted the Commission via telephone on July 12th, 2024, after the bid process, on behalf of C.O.M. Chartered Accountants. He contentiously stated that attempts were made to disenfranchise the company and that I [Administrative Officer of the procuring entity] was dishonest because they were asked to provide a valid NIS Compliance. Subsequently, the NIS Compliance was received via email from C.O.M. Chartered Accountants on July 15th, with a validity period from 15th July 2024 to 14th October 2024.”

[51] Notwithstanding, the complainant complied with the extended timeline given by the procuring entity and submitted, on July 15th, 2024, a “*Temporary Compliance Certificate*”. The date of application is stated thereon as July 12th, 2024. It is not time stamped so it is not possible to

⁹ Appendix D

¹⁰ Pg. 3 above

ascertain whether it was applied for before or after the opening on July 12th, 2024. Notwithstanding, its date of validity runs from July 15th, 2024, as aforementioned stated by the procuring entity. That is, a date after the bid opening, the latter being the effective date.

[52] It is the considered view of the commission that since the business of the complainant was registered within “*the last year*”, he was required to submit a “*copy of NIS registration*” for the business and not “*a valid NIS compliance*” as demanded by the procuring entity.

[53] This issue is however moot in the contended circumstances, since on the record, the awarded tenderer submitted a valid business registration, and whose quotation was lower than that of the complainant.

[54] It should be noted however that the procuring entity, although acting under a misapplication of the criteria, was nonetheless fair in its approach by giving the complainant an opportunity to remedy his perceived default.

[55] Further examination of the record however reveals that neither tenderer satisfied Evaluation Criterion No. 6 which required-

“Completed and signed Bid Securing Declaration Form.”

[56] As hereinabove set out, the Evaluation Criteria required that the “*Successful bidder must obtain all passes (YES) as listed in the evaluation criteria ... to be considered for financial assessment.*” It would therefore appear that neither tenderer so did as the record before the commission did not include completed and signed bid securing declaration Forms for either tenderer. While each tenderer’s submission included the Form, neither Form was completed and signed as required by the criteria.

[57] The commission reiterates¹¹ that, in the interest of fairness and transparency, an Evaluation Committee ought not exercise a discretion not expressly reserved by the published Evaluation Criteria. Procuring entities should therefore take care in crafting Evaluation Criteria. Further, there is nothing on the record to show that the procuring entity decided not to apply this criterion and so informed the tenderers of its waiver or otherwise prior to the evaluation. However, since neither tenderer satisfied this criterion, practically, there was no prejudice.

[58] More fundamentally however, while the procuring entity applied the correct procurement method for the estimated value, to wit, Request for Quotations (‘RFQ’), it did not comply with the statutory requirements therefor. Section 27(2) of the Procurement Act, Cap. 73:05 mandates that-

“Before awarding a contract under this section, the procuring entity shall obtain and compare quotations from as many qualified suppliers or contractors as feasible, but not fewer than three.”

¹¹ Summary of Findings – Construction of Belle Vue Pump Station

[59] The record before the commission shows that only two (2) quotations were received. The legislation sets a minimum of three (3). ‘The Act’ does not proffer a consequence should three (3) quotations not be obtained. However, it must be taken that having set a minimum, it could not be the intention of the draftsmen to proceed below that minimum or else, such saving would have been expressly made. This requirement goes directly to ensuring value for money.

[60] Strictly, the proper course in the circumstances would have been to re-tender.

[61] As noted above, the legislative provision is restrictive. This however may not be in tune with realities where three (3) quotations, for whatever reason, cannot be obtained. In this matter for instance, the procuring entity cannot be faulted for using the most transparent method of obtaining quotations, that is, solicitation by way of public advertisement, and only getting a response of two (2) submissions. There may be instances where there are only two providers or other factors. The gravamen of the test is fair comparison to ensure that value for money is obtained. ‘The Act’ already has this safeguard by Section 27(3) mandating that-

“The procuring entity shall make its best efforts to check prices on the Internet to ensure the reasonableness of quoted prices and shall publish the price of its most recent procurement at least once a quarter in a newspaper of national circulation.”

[62] There must be a balance between procedure, fairness and efficiency, particularly, for a comparatively low threshold. It is the considered view of the commission that an amendment should be effected to the aforesaid provision, to permit flexibility to adapt to market conditions.

[63] It appears that the complaint arose out of a misunderstanding which seemed to have stemmed from certain representations made by the procuring entity at the “bid opening ceremony”¹² with regard to the validity of the business registration of Zoë Perissos Business Services. Although the contrary was later determined by the procuring entity, it does not appear from the record that they ever so informed the complainant. Transparent communication may have alleviated ensuing misunderstandings and this complaint.

[64] Notwithstanding, the commission notes that, although it is not provided for in ‘the Act’ as to how quotations are to be obtained, the solicitation thereof through advertisement does not prejudice the tender proceedings as it is open and transparent. Solicitations can also be done by way of letter addressed to relevant contractors or suppliers.

[65] The commission further notes that although only two (2) quotations were obtained instead of the required minimum of three (3), the award was made to the lower of the two (2) without any report of adverse quality of work, the value thereof in any event being relatively low at just \$1,000,000.00 (one million dollars).

[66] As hereinbefore mentioned, the procuring entity submitted to the commission as part of the record, a “Report of Bid Opening”. The document in its content appeared to be intended to be an Evaluation Report. While undated, it signed by three (3) persons, not expressly identified as

¹² Section 39(1) of the Procurement Act, Cap. 73:05

Evaluators. One of the pages was headed “Evaluation Sheet”. Greater care ought to be taken to become acquainted with legal requirements and standard (best) practices in the creation of Evaluation Report, both form and content.

Findings

[68] On consideration, the commission found that:

- i. The complainant’s allegation that the awarded tenderer did not submit a valid business registration as required was not borne out on the record.
- ii. The procuring entity erroneously required the complainant to submit a NIS compliance certificate since the business was registered within “*the last year*”. The complainant was therefore required by the Evaluation Criteria to submit instead a copy of the NIS registration for the business, in order to satisfy that criterion No. 2. This ground alone however would not have affected the final award.
- iii. Strictly on the record, neither tenderer satisfied the Evaluation Criteria, to wit, No. 6 thereof, and therefore neither properly fell to be considered for financial assessment and or to be awarded the contract. However, there was no prejudice in the circumstances.
- iv. Having not found any irregularity in the non-award to the complainant, no remedial recommendation and or action to his benefit flows.
- v. The procuring entity applied the correct procurement method, but only obtained two (2) instead of the statutorily required three (3) quotations in accordance with S. 27(2) of the Procurement Act, Cap. 73:05, despite solicitation by way of public advertisement.

Recommendations

[69] The commission in the circumstances makes the following Recommendations:

- I. An amendment ought to be effected to Section 27 of the Procurement Act, Cap. 73:05 to permit flexibility to adapt to market conditions in obtaining quotations in the Request for Quotations (RFQ) method of procurement.
- II. The hereinbefore¹³ set out inconsistency between Section 11 of the Procurement Act, Cap. 73:05 and Regulation 4 of the Procurement Regulations 2004, in the publication of contract awards, ought to be remedied through legislative intervention.

¹³ Pages 4-6

- III. When the timeframe, “*in the last year*” is used in bidding solicitation documents, it ought to be defined from an operative date. For example, “*within the last year of the date of bid opening*”.
- IV. The method of procurement to be used should be clearly stated at the solicitation stage.
- V. Procuring entities must be meticulous in their examination of submitted quotations to ensure satisfaction with the Evaluation Criteria (“requirements of the invitation”¹⁴).
- VI. Procuring entities must take particular care in ensuring statutory compliance with the applicable tendering method.
- VII. Procuring entities must take care in the crafting of Evaluation Reports.
- VIII. Training be conducted by the commission for the GWCMC on procurement methods and their statutory requirements.

Disposal

[70] A copy of this Summary of Findings is to be sent to the complainant, procuring entity and uploaded on the commission’s website. A copy is also to be sent to the Honourable Minister of Finance and Honourable Attorney General in light of Recommendations above for legislative amendments.

[71] Adopted at a meeting of the commission held on February 13th, 2025.

APPENDIX A

¹⁴ Section 27(5) of the Procurement Act, Cap. 73:05



GUYANA WILDLIFE CONSERVATION AND MANAGEMENT COMMISSION

INVITATION FOR BID (IFB)

Procurement of Financial Services

1. The Guyana Wildlife Conservation and Management invites sealed bids from eligible and qualified bidders for the below-mentioned project:

The preparation of Financial Statements for the periods 2022 and 2023

2. Interested bidders may obtain further information from the Guyana Wildlife Conservation and Management Commission by telephone numbers (592)-223-7934/223-0940.
3. The Bidding Document can be uplifted by interested bidders at the address below for two thousand Guyana Dollars (\$2000.00). Bid Documents will be available from Monday, June 24, 2024, at 10:00 HOURS.
Guyana Wildlife Conservation and Management Commission
Finance Department
Ganges Street, Sophia
Georgetown
223-7934/223-0940,
Email: wildlifemanagementauthority@gmail.com
4. Forms must be deposited in the Bid Box at the above address no later than 11:00hrs on Monday, July 8th, 2024
5. Bids will be opened at 11:00hrs on Friday, July 12th, at 11:00hrs at the Guyana Wildlife Conservation and Management Commission. Bidders or their authorized representatives may be present to observe the opening.
6. Bids shall be valid for 120 days after the date of bid opening

2019

GUYANA



CERTIFICATE NO.: 168644

BUSINESS NAMES (REGISTRATION ACT, CHAPTER 90:05)

CERTIFICATE OF REGISTRATION

I HEREBY CERTIFY that a statement containing the prescribed particulars for registration furnished by ZOE PERISSOS BUSINESS SERVICES of LOT 43, ONION FIELD, ESTATE ROAD, LA BONNE INTENTION, EAST COAST DEMERARA, 4, GUYANA pursuant of Section 5 of the above-mentioned Act was registered on the 7th day of March, 2019.

Dated this 14th day of March, 2023



[Signature]
Registrar of Business Names
Office of Registrar of Business Names,
Georgetown, Demerara.

Name

MELISSA MARS-TONEY

Address

LOT 370, KURU KURURU, NEWTOWN SETTLEMENT,
SOESDYKE LINDEN HIGHWAY, GUYANA

Attention is drawn to Section 8 of the Business Names (Registration) Act, Chapter 90:05.

8. Whenever a change is made or occurs in any of the particulars registered in respect of any firm or person that firm or person shall within fourteen days after the change or any longer period allowed by the Registrar on application made in any particular case, whether before or after the expiration of the fourteen days, furnish by sending by post or delivery to the Registrar in the Country in which the aforesaid particulars are registered a statement in writing in the prescribed form specifying the nature and date of the change signed and where necessary verify, in like manner is the statement required on registration.

Pursuant to the Business Name (Registration) (Amendment) Act No. 3 of 2013. This registration ceases on 7th March 2024. If this registration is renewed on the 7th March 2024, or not later than fifteen days after, the fee is \$2,500.00 (two thousand and five hundred dollars). If after the fifteen days, a new registration would have to be effected and the fee therefore is \$5,000.00 (five thousand dollars).

STATEMENT OF CHANGE HISTORY		
DATE:	RECEIPT NUMBER:	NATURE OF CHANGE (S)
8/3/2023	275107B	CHANGING OF BUSINESS ADDRESS PHILBERT TONEY CEASES TO BE A PROPRIETOR

R. No.	52824AB
Renewal Fee	\$2500
Valid Until	7/3/2023
Registrar of Business Names	[Signature]

23-3-140

R. No.	275106B
Renewal Fee	\$2500
Valid Until	7/3/2024
Registrar of Business Names	[Signature]

23-3-140

R. No.	468377AB
Renewal Fee	\$2800
Valid Until	7/3/2025
Registrar of Business Names	[Signature]

24-3-8



APPENDIX C

Annex No.2

Evaluation and Qualification Criteria

(insert name of project) *C.O.M. Chartered Accountants*

No.	Descriptions	Responses	
		Yes	No
1	Submission of a valid business registration or certificate of incorporation that is clearly legible .	✓	
2	Submission of a valid NIS compliance certificate in the name of the business as per business registration. Document must be clearly legible, Or copy of NIS registration for businesses registered in the last year		
3	Submission of a valid GRA compliance certificate in the name of the business as per business registration. Document must be clearly legible, Or copy of TIN certificate for businesses registered in the last year.	✓	
4	Completed and signed bid submission form/form of tender/supplier's bid page (<i>insert page number</i>).	✓	
5	Completed and signed delivery schedule (<i>insert page number</i>) or statement of agreement to supply goods/services within the period specified in the delivery schedule (<i>insert page number</i>).	✓	
6.	Completed and signed Bid Securing Declaration Form (<i>insert page number</i>)		
7	Bidders who are registered with the Small Business Bureau in conformity with the Small Business Act are eligible for a margin of preference of 5% in their bid price. Registration MUST be in force and certificate of registration must be enclosed in the Bid.		

compliance to be submitted 19.07.2024

1. All responsive bids must be checked for arithmetic errors show corrected and original sum.
2. Successful bidder must obtain all passes (YES) as listed in the evaluation criteria above to be considered for financial assessment.
3. The Contract shall be awarded to the bidder whose bid is determined to be substantially responsive (that is, meeting all the technical/functional specification/requirements as request by the quotation) and who has offered the lowest price.
4. A penalty of immediate rejection of a bid or termination of contract will be applied upon discovery of misrepresentation of information.

APPENDIX D

2024

GUYANA



CERTIFICATE NO.: 233061

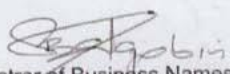
BUSINESS NAMES (REGISTRATION ACT, CHAPTER 90:05)

CERTIFICATE OF REGISTRATION

I HEREBY CERTIFY that a statement containing the prescribed particulars for registration furnished by C.O.M CHARTERED ACCOUNTANTS of LOT 92, MIDDLE STREET, CUMMINGSBURG, GEORGETOWN, 4, GUYANA pursuant of Section 5 of the above-mentioned Act was registered on the 10th day of January, 2024.

Dated this 16th day of January, 2024




Registrar of Business Names
Office of Registrar of Business Names,
Georgetown, Demerara.

Name

COLIN OSWALD MOHAMED

Address

LOT 160, EAST FIELD, NANDY PARK, EAST BANK
DEMERARA, GUYANA

Attention is drawn to Section 8 of the Business Names (Registration) Act, Chapter 90:05.

8. Whenever a change is made or occurs in any of the particulars registered in respect of any firm or person that firm or person shall within fourteen days after the change or any longer period allowed by the Registrar on application made in any particular case, whether before or after the expiration of the fourteen days, furnish by sending by post or delivery to the Registrar in the Country in which the aforesaid particulars are registered a statement in writing in the prescribed form specifying the nature and date of the change signed and where necessary verify, in like manner is the statement required on registration.