



**Republic of Uganda
Uganda Cancer Institute**

Standard Bidding Document

For

Disposal by Public Bidding.

**Subject of Disposal: DISPOSAL OF X-RAY RADIOLOGY
CONSUMABLES**

Disposal Reference Number: UCI/DISP/17-18/00001

Disposal Method: Public Bidding

Date of Issue: 8th December, 2017

PREFACE

1. This Standard Bidding Document (SBD) has been prepared by the Public Procurement and Disposal of Public Assets Authority for use by Procuring and Disposing Entities in the disposal of Public Assets. For the purpose of this document, disposal means the divestiture of public assets, including intellectual and proprietary rights and good will, and any other rights of a Procuring and Disposing Entity by any means, including sale, rental lease, franchise, auction or any combination however classified other than those excepted in the PPDA Act. The procedures and practices presented in this SBD have been developed to reflect the requirements of the Public Procurement and Disposal of Public Assets Act, 2003 and Public Procurement and Disposal of Public Assets (Disposal of Public Assets) Regulations 2014 and best international practices.
2. The Standard Bidding Document has been developed for use under the Public Bidding and Sale to Public Officers disposal methods. It may also be used for disposal under the Direct Negotiations method with appropriate modifications to the document. Care should be taken to ensure that the legal requirements for each method are captured while customizing the SBD. The SBD is designed for a reasonably straightforward disposal process.
3. The Standard Bidding Document contains two types of documents, those that must be used unchanged, and those that should be customized especially for each disposal. An electronic version of this SBD is available from the Public Procurement and Disposal of Public Assets Authority's Website at www.ppda.go.ug. Explanatory notes on the use of this SBD are contained in the user guide for use of the standard bidding document for disposal by public bidding and sale to public officers.
4. The Public Procurement and Disposal of Public Assets Authority welcomes any comments on these documents by users, which will assist in improving the documents, or correcting any errors.

EXECUTIVE DIRECTOR

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Standard Bidding Document

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Standard Invitation to Bid

BID NOTICE UNDER PUBLIC BIDDING

8th December, 2017

Invitation to bid for disposal of X-Ray Radiology Consumables – UCI/DISPOS/17-18/00001

1. The Uganda Cancer Institute intends to dispose of the following assets X-Ray Radiology Consumables. The asset(s) are sold on an “as is, where is” basis and Uganda Cancer Institute will have no further liability after sale.
2. The Uganda Cancer Institute invites sealed bids for the purchase of the above assets
3. Bidding will be conducted in accordance with the Public Bidding Disposal method contained in the Public Procurement and Disposal of Public Assets Act, 2003 and is open to all bidders.
4. Interested bidders may inspect the asset(s) at the location indicated in 7(a) three (03) days after Advertisement from 8:30AM to 5:00PM.
5. The bidding documents may be inspected by interested bidders on the submission of a written application to the address indicated in 7(b).
6. Bids must be delivered to the address indicated in 7(c) at or before 11:00AM on 8th January, 2018. Late bids shall be rejected. Bids will be opened in the presence of the bidders or the representatives of the bidders who choose to attend at the address indicated in 7(d) at 11:30am on 8th January, 2018.
7. (a) The assets may be inspected at: **The Uganda Cancer Institute**
(b) Documents will be issued from: **The Uganda Cancer Institute Procurement
And Disposal Unit**
(c) Bids must be delivered to: **The Uganda Cancer Institute Procurement
And Disposal Unit**
(d) Address of bid opening: **The Uganda Cancer Institute Procurement
And Disposal Unit**

The planned disposal schedule (subject to changes) is as follows:

	Activity	Date
a.	Publish bid notice	8 th December, 2017
b.	Inspection of assets	12 th December to 19 th December, 2017, Uganda Cancer Institute from 8:30am to 5:00pm
c.	Bid closing date	8 th January, 2018
d.	Evaluation process	8 th to 19 th January, 2018
e.	Display and communication of best evaluated bidder notice	<i>(Within 5 working days from Contracts Committee award)</i>
f.	Contract award and signature	<i>(After expiry of at least 10 working days from display of the best evaluated bidder notice and Attorney General's approval where applicable)</i>

Susan Watara

Senior Procurement Officer

PART 1: Bidding Procedures

Instructions to Bidders

Disposal Reference Number: **UCI/DISPOS/17-18/00001**

Subject of Disposal: **Disposal of X-Ray Radiology Consumables**

A. GENERAL

Scope of Bid: Uganda Cancer Institute, hereinafter called the “Procuring and Disposing Entity”, invites bids for the purchase of the assets described in Part 2, Description of Assets.

This disposal process will be conducted in accordance with the Public Bidding contained in the Government of Uganda’s Public Procurement and Disposal of Public Assets Act, 2003 and Public Procurement and Disposal of Public Assets (Disposal of Public Assets) Regulations, 2014 and the procedures described in Part 1: Bidding Procedures.

Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.

Limits on Purchase: Public officials shall not be permitted to purchase more than one similar item. Public Officials may bid for more than one similar item, but in the event that they are the best-evaluated bidder for more than one such item, they shall be required to indicate their preferred item and shall be awarded a contract for that item only.

Lots and Items: The assets are divided into lots and/or items, as listed in Part 2, Description of Assets. Bidders shall be permitted to bid for individual or multiple lots and/or items according to the following rules:

1. Bidders must bid for complete lots only. Bids for partial lots shall be rejected.
2. Bidders may bid for any individual lot or combination of lots.

Corrupt Practices: It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers observe the highest standards of ethics during disposal and the execution of contracts. In pursuit of this policy, the Government of Uganda;

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
 - (i) “corrupt practice” includes the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public official in the disposal process or in contract execution;
 - (ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;
 - (iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party; and
 - (iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
- (b) will reject a recommendation for award if it determines that the Bidder recommended for award has engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract;
- (c) will suspend a Provider or bidder from engaging in any public procurement and disposal proceeding for a stated period of time, if it at any time determines that the Provider or

bidder has engaged in corrupt, fraudulent, collusive or coercive practices in competing for, or in executing, a Government contract.

In pursuit of the policy defined above, the Procuring and Disposing Entity may terminate a contract, or be ordered by the PPDA Tribunal to cancel a contract, if it at any time determines that corrupt, fraudulent, collusive or coercive practices were engaged in by representatives of the Procuring and Disposing Entity or of a Bidder, Provider or Buyer during the disposal process or the execution of that contract.

Code of Ethical Conduct: In pursuit of the policy defined above, the Government of Uganda requires representatives of both the Procuring and Disposing Entities and of Bidders, Providers and Buyers to adhere to the relevant codes of ethical conduct. The Code of Ethical Conduct for Bidders and Providers as provided in the bidding forms shall be signed by the Bidder and submitted together with the other bidding forms.

B. Bidding Document

Bidding Document: The Bidding Document consists of the following Parts, which should be read in conjunction with any addenda issued:

- Part 1: Bidding Procedures
- Part 2: Description of Assets
- Part 3: Contract

The Bid Notice/non Public Invitation Notice is not part of the Bidding Document.

At any time prior to the deadline for submission of bids, the Procuring and Disposing Entity may amend the Bidding Document or extend the deadline for submission of bids by issue of addenda. Addenda will be issued in writing to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

Clarification of Bidding Document: Any queries regarding this Bidding Document should be addressed to the Procuring and Disposing Entity in writing at the following address and no later than the date indicated below.

Address: Uganda Cancer Institute Procurement and Disposal Unit
P.O Box, 3935, Kampala

Latest Date: 20th December, 2017

Any clarifications will be issued to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

C. Preparation of Bids

Preparation of Bids: You are advised to carefully read the complete Bidding Document, including the Conditions of Contract in Part 3: Contract, before preparing your bid.

Inspection of Assets: Potential Bidders may inspect the assets prior to preparing bids, at the following location and at the following time and date:

Address for inspection: Uganda Cancer Institute
P.O Box, 3935, Kampala

Date(s) for inspection: 12th December to 19th December, 2017.

Time(s) for inspection: 8:30AM to 5:00PM.

Documents Comprising the Bid: You are requested to bid for these items by completing, signing and returning:

1. the Bid Submission Sheet in this Part;
2. the List of Assets and Price Schedule in Part 2, with prices completed for all items or lots for which you are bidding;

The standard forms in this Bidding Document may be retyped for completion but the Bidder is responsible for their accurate reproduction.

Validity of Bids: Bids shall be valid until **22nd June, 2018** (day, month and year)

Currency of Bids: Bids may be priced in Uganda Shillings or any other freely convertible currency.

Bid Security/Bid Securing Declaration: A Bid Security or a Bid Securing Declaration SHALL NOT be required.

Copies of Bid: The Bidder shall prepare one original and two copies of the bid, which shall be marked "ORIGINAL" or "COPY" as appropriate. In the event of any discrepancy between the original and the copies, the original shall prevail.

Signing of Bids: The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by a person duly authorised to sign on behalf of the Bidder. All pages of the bid shall be signed or initialled by the person signing the bid.

D. Submission and Opening of Bids

Sealing and marking of Bids: Bids should be sealed in a single envelope, clearly marked with the Disposal Reference Number above, the Bidder's name, the name of the Procuring and Disposing Entity and a warning not to open before the date and time of the bid opening. Envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected.

Submission of Bids: Bids should be submitted to the address below, no later than the date and time of the deadline below. Late bids shall be declared late, rejected and returned unopened to the bidder.

Date of deadline: 8th January, 2018.
Time of deadline: 11:00am (*local time*).
Address: Uganda Cancer Institute
Procurement and Disposal Unit
P.O Box, 3935
Kampala

Opening of Bids: The Procuring and Disposing Entity shall conduct the bid opening in the presence of Bidders' representatives who choose to attend, at the address, date and time below. A record of the opening will be posted on the Procuring and Disposing Entity's Notice Board within one working day of the opening.

Date of opening: 8th January, 2018.
Time of opening: 11:30am.
Address: Uganda Cancer Institute
Procurement and Disposal Unit
P.O Box, 3935
Kampala

E. Evaluation of Bids

Evaluation of Bids: The evaluation of bids shall be based on price only (or price and other factors where applicable)¹

Evaluation of Price: The Procuring and Disposing Entity shall correct any arithmetic errors in the bids, convert the bids to a common currency and rank bids to determine the highest priced bid.

Evaluation Currency: The currency of evaluation is Uganda Shillings. Bids in other currencies will be converted to this currency for evaluation purposes only, using the exchange rates published by the Bank of Uganda on the date of the submission deadline.

Best Evaluated Bid: The best evaluated bid shall be:

- i. the highest priced bid where the evaluation is based on price only or
- ii. the highest priced bid which is eligible and passes the evaluation of other criteria, where other factors in addition to price are considered

In either of the above cases, the best evaluated bid shall be recommended for award of contract, subject to any reservations regarding failure to meet the official valuation or reserve price and subject to a limit of one similar item for one public officer.

Right to Reject: The Procuring and Disposing Entity reserves the right to accept or reject any bid or to cancel the bidding process and reject all bids at any time prior to contract award.

F. Award of Contract

Formation of contract: Formation of a contract shall be by signing a contract in accordance with Part 3: Contract..

The successful bidder will be expected to pay for and collect the assets within the period specified in the Agreement.

Right to Review: Bidders may seek an Administrative Review by the Accounting Officer in accordance with the Public Procurement and Disposal of Public Assets Act 2003 if they are aggrieved with the decision of the PDE.

¹ In the case where other factors other than price are to be considered, the PDE should specify what the other factors are and should also specify the evaluation criteria for the other factors. The eligibility requirements and other factors shall be evaluated on a pass or fail basis.

Bid Submission Sheet

[Complete this form with all the requested details and submit it as the first page of your bid, with any documents requested above attached. Ensure that your bid is authorised or signed in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bidding Document prevail over any attachments. If your bid is not authorised or signed, it may be rejected.]

Bid Addressed to (PDE):	
Date of Bid:	
Disposal Reference Number:	
Subject of Disposal:	

We/I offer to purchase the item or items listed in the attached List of Assets and Price Schedule, at the prices indicated on the attached List of Assets and Price Schedule, in accordance with the terms and conditions stated in your Bidding Document referenced above.

We/I have signed and undertake to abide by the Code of Ethical Conduct for Bidders and Providers attached, during the procurement process and the execution of any resulting contract;

This bid is valid until the _____ *[insert date, month and year]*

We/I confirm that the prices quoted in the List of Assets and Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision or variation.

Bid Submitted By:

Signature: _____

Name: _____

Date: _____ (DD/MM/YY)

Address: _____

Tel No: _____

CODE OF ETHICAL CONDUCT IN BUSINESS FOR BIDDERS AND PROVIDERS²

(Under Section 93 of the Public Procurement and Disposal of Public Assets Act, 2003)

1. Ethical Principles

Bidders and providers shall at all times-

- (a) maintain integrity and independence in their professional judgment and conduct;
- (b) comply with both the letter and the spirit of-
 - i. the laws of Uganda; and
 - ii. any contract awarded.
- (c) avoid associations with businesses and organizations which are in conflict with this Code.

2. Conflict of Interest

Bidders and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring and disposing entity. Bidders and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

3. Confidentiality and Accuracy of Information

- (1) Information given by bidders and providers in the course of the disposal processes or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

4. Gifts and Hospitality

Bidders and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring and disposing entity that might be viewed by others as having an influence on a government procurement or disposal decision.

5. Inducements

- (1) Bidders and providers shall not offer or give anything of value to influence the action of a public official in the disposal process or in contract execution.
- (2) Bidders and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

6. Fraudulent Practices

Bidders and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring and disposing entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;
- (d) misrepresent facts in order to influence a disposal process or the execution of a contract to the detriment of the Procuring and Disposing Entity; or utter false documents.
- (e) unlawfully obtain information relating to a disposal process in order to influence the process or execution of a contract to the detriment of the PDE
- (f) withholding information from the PDE during contract execution to the detriment of the PDE.

² The Code of Ethical Conduct in Business for Bidders and Providers has been modified for use in the disposal process.

I agree to comply with the above Code of Ethical Conduct in business.

AUTHORISED SIGNATORY

NAME OF BIDDER/PROVIDER

Part 2: Description of Assets

Description of Assets

Disposal Reference Number: **UCI/DISP/17-18/00001**

The descriptions of the assets given below are for information purposes only and the Procuring and Disposing Entity gives no guarantee of the accuracy of the description. The Bidder bears all risk for the condition of the assets.

Item No	Description of Asset
1	X-Ray Film Size: 35cm*45cm
2	X-Ray Film Size: 35cm*35cm
3	X-Ray Film Size: 24cm*30cm
4	X-Ray Film Size: 18cm*43cm
5	X-Ray Fixer Solution
6	X-Ray Developer Solution

Attach a list of descriptions of assets where necessary.

List of Assets and Price Schedule

S/NO	ITEM	AMOUNT (UGX)
1	X-Ray Film Size: 35cm*45cm	
2	X-Ray Film Size: 35cm*35cm	
3	X-Ray Film Size: 24cm*30cm	
4	X-Ray Film Size: 18cm*43cm	
5	X-Ray Fixer Solution	
6	X-Ray Developer Solution	

Part 3: Contract

Any resulting contract shall be placed using the contract agreement form below and shall be subject to the Government of Uganda General Conditions of Contract (GCC) for the Disposal of Public Assets, as attached.

Contract Agreement

Disposal Reference Number: _____

THIS AGREEMENT made this _____ day of _____, _____, between _____ of _____ (hereinafter referred to as “the Procuring and Disposing Entity”), of the one part, and _____ of _____ (hereinafter referred to as “the Buyer”), of the other part:

WHEREAS the Procuring and Disposing Entity invited bids for the disposal of Assets, viz., _____ and has accepted a Bid by the Buyer for the purchase of those Assets in the sum of _____ (hereinafter referred to as “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. This Agreement shall be subject to the Government of Uganda General Conditions of Contract for the Disposal of Public Assets (attached), except where modified herein.
2. The Buyer hereby covenants to pay the Procuring and Disposing Entity in consideration of the provision of the Assets, the Contract Price at the times and in the manner prescribed by the Contract.
3. In consideration of the payments to be made by the Buyer to the Procuring and Disposing as indicated in the Contract, the Procuring and Disposing Entity hereby covenants with the Buyer to release the Assets in conformity in all respects with the provisions of the Contract.

THE GENERAL CONDITIONS OF CONTRACT ARE MODIFIED AS FOLLOWS:

The location of the assets is _____.

The official to contact to arrange collection of the assets is _____.

Payment for the assets shall be made by the _____ day of _____

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Uganda on the day, month and year indicated above.

Signed by _____ (for the Procuring and Disposing Entity)

Name: _____ Position: _____

In the presence of:

Name: _____ Position: _____

Signed by _____ (for the Provider)

Name: _____ Position: _____

In the presence of:

Name: _____ Position: _____

General Conditions of Contract for the Disposal of Public Assets

1. Definition of Assets

The assets subject to this contract are as defined in the attached Description of Assets.

2 Condition of Assets

The Procuring and Disposing Entity shall sell the assets on an “as is, where is” basis and shall offer no warranty or guarantee as to the condition of the assets.

The Buyer shall assume full responsibility for the assets from the date and time of transfer and shall bear all costs and risks associated with the assets thereafter.

3. Payment

The Buyer shall make payment to the Procuring and Disposing Entity of the full Contract Price, as defined in the Agreement, within two weeks of the date of the Agreement. The Procuring and Disposing Entity shall issue a receipt for the payment.

Payment shall be made by any method acceptable to the Procuring and Disposing Entity and shall be considered to have been made on the date that it is credited to the Procuring and Disposing Entity’s account.

The Procuring and Disposing Entity may terminate this contract if the Buyer has failed to pay the full Contract Price within one week of the due date for payment.

4. Transfer of Assets

The location of the assets is as specified in the Agreement.

The Buyer shall have full responsibility and shall bear all risks and costs associated with the collection, dismantling, removal and transportation of the assets from the location defined above and shall bear and pay all associated costs.

The Buyer shall collect the assets within one week of the date of receipt by the Procuring and Disposing Entity of full payment for the assets.

The Buyer shall contact the official named in the Agreement, at the Procuring and Disposing Entity’s address, as specified in the Agreement, to arrange a date and time for the collection of the assets.

The Buyer shall sign a Handover Certificate, certifying receipt of the assets, at the time of transfer.

5. Corrupt Practices

It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers for contracts for public assets, observe the highest standard of ethics during the disposal process and execution of such contracts.

In pursuit of this policy, the Procuring and Disposing Entity may terminate a contract for disposal if it at any time determines that corrupt, fraudulent, collusive or coercive practices were engaged in by representatives of the Procuring and Disposing Entity or of a Buyer, during the disposal process or the execution of that contract, without the Procuring and Disposing Entity having taken timely and appropriate action satisfactory to the Government of Uganda to remedy the situation.