



Republic of Liberia
Public Procurement & Concessions Commission
Executive Mansion Grounds, Capitol Hill, Monrovia, Liberia



Website: www.ppcc.gov.lr | Email: info@ppcc.gov.lr | Phone Short Code: 4357
Ref: PPCC/RL/CEO/1392/'20

August 12, 2020

Hon. Quiwu Yeke
EXECUTIVE DIRECTOR
Liberia Agency for Community Empowerment (LACE)
Monrovia, Liberia

Dear Hon. Yeke:

Subject: **REQUEST FOR "NO OBJECTION" FOR LACE TO AWARD CONTRACT TO DELTA ARCHITECTURAL AND CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF LANGO LIPPY HIGH SCHOOL-MARGIBI COUNTY**

We present our compliments and wish to acknowledge receipt of your letter and accompanying documents, which sought the approval of the Commission for the Liberia Agency for Community Empowerment (LACE) to award contract to Delta Architectural and Construction Company, the recommended most responsive bidder emanating from a restricted bidding process for the construction of Lango Lippy High school, (the "works") at an estimated cost of **US\$348,550.01 (three hundred forty-eight thousand five hundred and fifty united states dollars one cent)**.

The Commission, upon overall thorough scrutiny of LACE's submissions and noting the assertions and clarifications, grants **'No Objection'** for the Liberia Agency for Community Empowerment, to award contract to **Delta Architectural and Construction Company, in the stipulated amount (US\$348,550.01)** for the construction of the Lango Lippy High School in Margibi County.

The LACE is advised to constantly ensure that its procurement processes are in line with stipulated procedures and governing procurement rules.

Please note that given the contract value exceeding the threshold amount of US\$250,000.00, it must be duly **signed by the Minister responsible for Finance and attested to by the Minister responsible for Justice.** Additionally, a copy of the signed contract for this indicated package, **must be forwarded** to the Commission as is **required** in line with PPCA Section 43(8).

The Public Procurement and Concessions Commission admonishes and deems it a **priority** that you remain primarily in compliance with the PPCA, 2010, as we jointly aspire to achieve transparency, accountability, fairness, equality and ultimately public confidence in our procurement and concessions processes.

Kind regards.

Sincerely Yours


Jangko Roseline Nagbe Kowo (Att.)

CHIEF EXECUTIVE OFFICER

Regulating and Monitoring Compliance with the Public Procurement And Concession Act of Liberia

MEMORANDUM

To : Atty. J. Roseline Nagbe Kowo
Chief Executive Officer

From : Himmie E. Langford
Acting Director, CMD



Date : August 11, 2020

Subject: Request for No Objection Approval to Proceed to Contract Award with Delta Architectural and Construction Company for the construction of Lango Lippy High School for \$348,550.01.00.

Having reviewed the submitted request from LACE as well as other submitted documents, the following was observed:

Initial Process:

- I. The request for approval of the initial bidding process for the construction of the Lango Lippy High School was denied by the Commission due to the following:
 1. The submitted attendance sheets from LACE bidding process appeared to have been falsified since signatures representing participating bidders were firstly written by a single individual's penmanship; secondly, dates reflect erasure and signatures for same individuals from document to documents are materially different in pen strokes as well as other physical appearance;
 2. PPCA, Section 51(2) states, "When restricted bidding is employed on the grounds referred to in Section 50(1)(b), the Procuring Entity shall solicit bids from at least five (5) bidders, if possible; unfortunately, LACE sold its bid documents and could only get 3 participating bidders, thus, said costing of the issued bid document may have defeated the objectives of competition and the achievement of value for money;
 3. Issued out bid document contains a full cost estimate including bid of quantity for the project under consideration reflected a cost of \$360,000.00, an unfortunate occurrence that should not had happened;

MEMORANDUM

4. Coincidentally, all 3 submitted bids contain both the national seal and the logo of LACE on their front covers, a requirement not requested by LACE; furthermore, issued bids by BMC and Delta Architect & Construction Companies seem to have been produced by one and the same person or printing firm, and
5. Contents of the bid submitted by participating bidders are similar, as if one individual did all of the submitted bids single handedly.

Current Process Review:

- I. Seven Construction Companies were invited while five participated in the bidding process (evidence attached);
- II. Three of the initial participants (BMC Group, Delta Architectural & Construction Company and Building Construction Company participated with the inclusion of two new companies: Mu-Ta-Ja Construction & Blessing Engineering & Construction Company, Inc.);
- III. Copies of bid opening and attendance listing, Letter of Invitation and receipt, bid document and submissions, evaluation and PC's acceptance, etc... were received and reviewed and found to be in acceptable standards, and
- IV. Delta Architectural & Construction Company was adjudged to be the lowest technically responsive bidder and winner of the bidding process.

Recommendation

- ✓ That the PPCC grants No Objection to LACE to proceed to contract signing and that the entity is advised to observe Regulation 003(10) regarding thresholds above \$250,000.00.