

PUBLIC PROCUREMENT AND CONCESSIONS COMMISSION

REGULATION No. 3

REGULATION ON THE SCHEDULE OF THRESHOLDS FOR PROCUREMENT

Whereas, the Government of Liberia decided that the Public Procurement and Concessions ACT OF 2005 be amended and restated for enhanced clarity;

Whereas, the Government has decided to remove the Schedule of Thresholds for Procurement specified in the original Public Procurement and Concessions Act of 2005 from said Act and placed in regulations;

Whereas, the Schedule of Thresholds may be amended as necessary from time to time by regulations adopted by the Commissioners;

Whereas; the thresholds are generally intended to strike a critical balance between freedom for Procuring Entities to operate without undue delay and the need for the Commission to be able to monitor effectively procurement activities and assure compliance with the Act, and

Whereas, the Commission has broad-based consultations with stakeholders, donor partners and with the approval of cabinet reviewed and agreed on this Schedule of Thresholds in compliance with Section 139 of the Amended and Restated PPC Act, 2010 to be used by all procuring entities of the Government of Liberia;

Now Therefore, it is hereby declared and Regulated by this Commission that this Regulation shall be known, styled and called:

SCHEDULE

THRESHOLD FOR PROCUREMENT CONTRACTS

In this Schedule “Act” refers to the Amended and Restated Procurement and Concessions Act, 2010, as from time to time amended, the regulations from time to time issued and outstanding hereunder.

Users of this Schedule should note the following:

- A. Some thresholds set forth below represent ceilings and others represent floors.
- B. The Act sets forth restrictions, limitations and prohibitions on the use of particular Procurement methods that are not expressly set forth in this Schedule. The fact that a procurement method fits within the threshold under this Schedule is not sufficient to establish that it is permitted under the Act.
- C. There is not minimum contract size below which the use of international competitive bidding or national competitive bidding is prohibited. Thus, for example, a Procuring Entity may use international or national competitive bidding even if the use of a request for quotations is permitted if, in the discretion of the Procuring Entity, such use of international or national competitive bidding is consistent with conducting an efficient and effective procurement.

1. International open competitive bidding

The Thresholds above which international open competitive bidding shall be used are the ceiling the Thresholds for national open competitive bidding.

2. National open competitive bidding

The ceiling Thresholds for national open competitive bidding shall be the following estimated contract prices. Above these ceilings, international open competitive bidding shall be used.

In the case of contracts for the procurement of goods, US\$500,000

In the case of contracts for the procurement of services, US\$200,000

In the case of contracts for the procurement of works, US\$1,000,000

3. Thresholds for use of request for quotations

Thresholds for the requests for quotations shall be the following estimated contract prices. The Thresholds are ceiling threshold amounts for determining the applicability of requests for quotations:

In the case of contracts for the procurement of goods, US\$10,000

In the case of contract for the procurement of services, US\$10,000

In the case of contracts for the procurement of works, US\$30,000

4. Thresholds for use of restricted bidding

The use of restricted bidding pursuant to Section 50(4) to seek bids and award contracts must be approved by the Commission where the estimated price of the procurement exceeds:

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In the case of contracts for procurement of goods, US\$50,000

In the case of contracts for procurement of services, US\$20,000

In the case of contracts for procurement of works, US\$100,000

In an appropriate case, the Commission may give blanket approvals for the use of restricted bidding.

5. Contracts for publication of planned sole source procurement

Publication prior to award is required under the first sentence of Section 56(2) for sole source contracts where the estimated price exceeds US\$100,000.

6. Contracts for the procurement consultant

The solicitation of the expressions of interest is required for contracts for the procurement of consultant services when the estimated contract price of the services exceeds US\$100,000

7. Authority to Reject and Signing Authority for Procurement Contract Awards at the Entity level:

Type of Contracts	Contract Value (Threshold)	Authority to Reject Proposed Contract Award per Section 27(f)	Signing Authority for Contract Award per Section 66(3)
Goods and Services	Less than US\$10,000	Head of Procuring Entity	May be delegated
	Over US\$10,000	Procurement Committee	Head of Procuring Entity
Consulting Services	Less than US\$10,000	Head of Procuring Entity	May be delegated
	Over US\$10,000	Procurement Committee	Head of Procuring Entity
Works	Less than US\$30,000	Head of Procuring Entity	May be delegated
	Over US\$30,000	Procurement Committee	Head of Procuring Entity

8. Prior notice to the Commission of proposed contract awards (14 day waiting period)

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Pursuant to Section 31(1), Procuring Entities shall give at least fourteen (14) days prior notice to the Commission of proposed awards of procurement contracts when the estimated price of the procurement contracts exceeds the amount set forth below:

In the case of contracts for the procurement of goods, US\$200,000

In the case of contracts for the procurement of services, US\$100,000

In the case of contracts for the procurement of works, US\$400,000

Pursuant to Section 71(2) Procuring Entities shall give at least fourteen (14) days prior notice to the Commission of proposed awards of consulting contracts when the estimated price of the consulting contract exceeds US\$100,000. (US\$200,000) if the contract has been awarded following the solicitation of expressions of interest in accordance with Section 68(2).

9. Notice and publication of contract awards

Pursuant to Section 37, Procuring Entities shall give prompt notice of contract awards to the Commission for publication when the contract price of the procurement exceeds:

In the case of contracts for the procurement of goods, US\$20,000

In the case of contracts for the procurement of services, US\$10,000

In the case of contracts for the procurement of works, US\$30,000

10. Contracts over US\$250,000

The Ministry shall take part in the negotiations and signings of contracts over US\$250,000 and the contract shall be attested to by the Ministry of Justice.

The Procuring or Concession Entity shall comply with the thresholds set out in this Schedule to the Regulation in accordance with the provisions of the PPC Act:

DONE IN THE CITY OF MONROVIA, COUNTY OF MONTERRADO, REPUBLIC OF LIBERIA THIS 13TH DAY OF OCTOBER A.D. 2010 BY AUTHORITY OF THE PUBLIC PROCUREMENT AND CONCESSIONS COMMISSION.

SIGNED BY: _____

Esther W. Paegar (Mrs.)
ACTING CHAIRMAN
PUBLIC PROCUREMENT & CONCESSIONS COMMISSION