

PUBLIC PROCUREMENT REGULATORY AUTHORITY

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Ref: PPRA/P&R/06 Vol. 1 (9)

16th December, 2016

PPRA CIRCULAR NO. 01/2016

**To: All Accounting Officers, National & County Governments
All Clerks, Senate, National & County Assembly (ies)
All CEOs, State Corporations
All Secretaries/CEOs/Accounting Officers, Constitutional
Commissions & Independent Offices
All Vice Chancellors, Public Universities
All Ambassadors/High Commissioners, Kenya Diplomatic
Missions
All Principals, Public Colleges & Schools
All Trustees, Pension Funds
All CDF Account Fund Managers**

**RE: MANDATORY REPORTING REQUIREMENTS BY PROCURING
ENTITIES**

The Public Procurement and Asset Disposal Act, 2015(the Act) came into force on 7th January, 2016. The Act was enacted by Parliament to operationalize the provisions of Article 227 of the Constitution of Kenya, 2010. The Act introduces significant changes in the regulatory framework of the public procurement system in Kenya with increased but distinct functions of the National Treasury and the Public Procurement Regulatory Authority (the Authority). The Act seeks to enhance efficiency, accountability and transparency as key pillars in streamlining the procurement process with the aim of realizing value for money from the resultant procurement and asset disposal contracts.

The Treasury Circular No.02/2016 dated 29th March, 2016 issued under cover of letter Ref. No. NT/PPD.1/2/02/PART III(75) sets out the guidelines for operationalization of the Public Procurement and

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Asset Disposal Act, 2015. It is incumbent upon procuring entities to ensure that the Act is implemented as guided in the aforementioned Treasury Circular.

As part of continuous transformation of the public procurement system, the Act contains provisions that seek to make available information on procurement and disposal issues to stakeholders such as Parliament and the public.

The Authority through this circular brings to the attention of the Procuring Entities the following various reports to be submitted to it (the Authority) under the Act:-

Reports on General Procurement Transactions

1. Terminations of Procurement and Asset Disposal Proceedings
2. Direct procurements of a value exceeding Kshs. 500,000/=.
3. Disposal of public asset(s) to employees.
4. Contract awards
5. Contract Amendment/Variation
6. Report on seeking approval for use of Alternative Selection Method other than Quality Cost Based Selection (QCBS) for Consultancy services

Report on Preferences and Reservation scheme

7. Quarterly Report on all contract awards where Preferences and Reservation scheme is used including Preferences and Reservations Scheme for Disadvantaged Groups (Youth, Women & Persons with Disability); Micro, Small & Medium Enterprises; Identified Regions; Citizen Contractors; Resident Suppliers/Contractors at the County levels; Bias to Local Participation (40%) on International Tenders and other categories as may be prescribed in the Regulations.
8. Six (6) Months report (July to December; due by mid January and January to June; due by mid July of every Financial Year) on Preferences and Reservation of contracts awarded to Youth, Women and Persons with Disabilities.
9. Part of the Annual Procurement Plan demonstrating procurements set aside under the Preference and Reservation Scheme.

In order to comply with the aforementioned mandatory reporting requirements, Accounting Officers are required to submit the above stated reports to the Authority in accordance with the format and timelines prescribed in the Act, attendant subsidiary legislations and this circular. Each report should be submitted in both soft and hard copy. While the hard copy must be duly signed by the authorized officer, unsigned soft copy is acceptable. The soft copy of the report must be submitted in excel (and not in PDF) and should be sent through reports@appoa.go.ke.

Note that this circular supersedes all previous circulars on mandatory reporting requirements issued under the repealed Public Procurement and Disposal Act, 2005

Please bring the contents of this circular to the attention of all officers involved in the Public Procurement and Disposal System within your jurisdiction.

A summary of the required reports including the reporting templates are attached to this circular and are numbered pages 1-16.



Maurice Juma, MBS
DIRECTOR GENERAL

(Encls)

Copy to:-

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