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Global Health
EQUITY

PROCUREMENT MANUAL

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This document is owned by the Director of Procurement and is responsible for ensuring that the manual is implemented and reviewed in line with the relevant authorities.

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1. INTRODUCTION:

The purpose of this Manual is to provide detailed guidance and best practice to UGHE on managing procurement in order to ensure University effectiveness and operational transparency. The contents of this Manual apply to the purchase of all goods and services and must be read in conjunction with the university's Finance Manual, Manual of Procedures, and other policies and procedures.

2. SCOPE

This manual applies to all employees, departments, and officials involved in the procurement of goods, services, and works for the University of Global Health Equity. It encompasses all procurement activities, regardless of the source of funding, and shall be adhered to by all staff members engaged in procurement decision-making.

3. GLOSSARY:

Terms	Definitions and Descriptions
Award	Decision by the procuring entity's tender committee or any other team with the powers to recommend the successful bidder
Bid Period	Period between the date of publication of the invitation to bid and the closing date for the submission of bids.
Bid security	Bid Security means any guarantee by a bank or other relevant institution to allow the prospective bidder to participate in tendering;
Bid Validity Period	Period of time subsequent to the bids opening for which the bid price and the conditions of the bid are not subject to any change by the bidder. Timeframe in which a bid is valid.
Bidder	Bidder means any potential participant or participant in UGHE procurement proceedings;
Bidding document	Bidding document means the document containing information required for the preparation of bids, the award process and the tender execution;
CIF (Cost, Insurance and Freight)	Cost, Insurance and Freight (CIF) is an international commercial term (Incoterm) which means the seller delivers when the goods pass the ship's rail in the port of shipment. The seller is responsible to pay for the insurance and freight of the goods to port of destination, but the risk passes on delivery at the port of shipment.
CIP (Carriage & Insurance Paid to)	Carriage and Insurance Paid (CIP) is an international commercial term (Incoterm) which means the seller delivers when the goods are received by the carrier and pays the carrier for the delivery of goods to the named place of destination. Carrier in this instance is a person or institution that undertakes the transportation of goods by rail, road, sea, inland waterway or a combination of any of these modes.

Concept Note	A concept note is a brief document that outlines a proposed project or initiative before it is fully developed. It serves as a preliminary proposal to communicate ideas, objectives, and the rationale behind the project to stakeholders, decision-makers, or potential partners
Consultant	A consultant is a professional individual or a firm that has technical know-how in a specialized area and is engaged to undertake an assignment described by the Terms of Reference prepared by UGHE.
Consultant Services	Refers to activities of an intellectual or of immaterial nature.
Contract	Contract is a legal binding agreement between a purchaser or employer and the seller or consultant or contractor
DDP (Delivered Duty Paid)	Delivered Duty Paid (DDP) is an international commercial term (incoterm) which means the seller delivers the goods to the buyer after they have been cleared or imported. The seller bears all costs and risks of transporting the goods including duties and taxes.
DDU (Delivery Duty Unpaid)	Delivered Duty Unpaid (DDU) is an international commercial term (incoterm) which means the seller delivers the goods to the buyer without clearing for importation. The seller does not pay or bear any risks with regard to duties and taxes, which will be the responsibility of the buyer.
Delivery Note	The Delivery note is a document used to record and confirm the receipt of goods or services against the supplier's delivery note. It details the quantity, description, and condition of the delivered items, ensuring alignment with the purchase order. This document serves as an acknowledgment of receipt but does not confirm ownership transfer or payment.
Deviations	Refers to not following the established UGHE procurement manual and SOPs, which can occur either intentionally or accidentally.
Direct Contracting	Direct Contracting is a procurement method where the purchaser buys goods from the seller directly without any competition. This method is used when the value of an item is very small, or there is only one seller due to the proprietary nature of the goods.
ELT	Executive Leadership Team
End Users	The Beneficiary of a given Procurement who will submit the request, evaluate the vendor/tender and (Includes all departments within UGHE)
Extra Budgetary	refers to procurement requests that are not included in the approved procurement budget / plan of the University.
Framework Contract	Contractual arrangement which allows UGHE to procure works, services or supplies that are needed continuously or repeatedly at an agreed price over a period of time, through the placement of a number of orders as and when need arises.

Goods	Goods means objects of every kind and description including raw materials, products, equipment and objects in solid, liquid or gaseous form, and electricity, as well as services incidental to the supply of the goods if the value of those related services does not exceed that of the goods themselves.
Highly strategic projects	These are initiatives that significantly impact University's long-term objectives, competitive positioning, cost savings, or operational efficiency. These projects typically involve substantial investments, complex decision-making processes, and critical supplier relationships.
Internal Tender committee	Internal Tender Committee is a committee established by UGHE management to assist the Procurement Department in the bid opening, evaluation, and recommendation for tender award,
Invitation to bid (request for quotations)	Invitations to bid are letters with instructions sent to the sellers/suppliers or service providers inviting them to submit their price quotations to compete for the supply of goods or works.
Lowest-evaluated bid	Bid which is determined to be the most technically and economically responsive after evaluating all terms and conditions of the bid;
Mis-procurement	A mis-procurement occurs when procurement procedures have not been followed by the procurement department.
Performance security	Performance security is any guarantee by a bank, or any other relevant institution established to guarantee UGHE that in case the contract is not performed, be it technically or at the level of deadlines, UGHE would receive the amount provided for such a guarantee.
Procurement	Process of acquiring goods, works, and services as may be needed by the procuring entity to achieve its objective.
Procurement audit	A procurement audit occurs when procurement records are checked by an internal control mechanism to see if appropriate procurement procedures have been followed. In this audit, the UGHE procurement department will need to produce all documents related to procurement and these documents may include, but are not limited to, advertisement copies, invitations to bid, emails, bidding documents, bid evaluations, bids, contracts, delivery notes, shipping documents, progress certificates, and completion certificates.
Procurement Committee	A decision-making body composed of appointed personnel responsible for overseeing and guiding procurement processes to ensure compliance with legal and regulatory requirements, evaluates tenders, mitigates procurement risks, promotes cost efficiency, and upholds principles of transparency, fairness, and accountability in the acquisition of goods, services, and works.
Proposal	Means an offer made by a consultant in response to a request for proposal (RFP) addressed to it by the procuring entity on the basis of appropriate terms of reference.
Quotation	Means an offer made by a supplier in response to a request for goods/supplies addressed to it by UGHE based on specifications.

Restricted tendering	This is a procurement method use to solicit bids from a select group of suppliers or contractors rather than opening the tender process to the general public. This approach is typically used in specific circumstances where it is beneficial to limit the number of participants
Seller or bidder	A seller or bidder is the supplier of goods or the service provider.
Services	Services refer to any services including consultancy and related services such as transportation, insurance, installation and commissioning, training and initial maintenance among others which are included in the goods and works being procured.
Significant Purchase	Means Purchase above 50 Million RWF
SLT	Senior Leadership Team
SMC	Senior Management Committee
Specification	Description of an object of procurement or disposal in accordance with national and international standards.
SSS (Single Source Selection)	Single Source Selection is a procurement method where a university chooses to buy goods or services from a single supplier/consultant, rather than soliciting bids from multiple vendors without any competition.
Successful bidder	The successful bidder shall mean a bidder whose offer has been accepted after being considered the most competitive both technically and financially.
Technical Specifications	Technical specification shall mean the detailed description of technical characteristics/functionality of goods, works, or non- consultant services. technical characteristics/functionality of goods, works, or non- consultant services.
Tender Notice	Advertisement by which eligible providers are invited to submit written offers to provide or acquire works, services and supplies respectively.
TOR (Terms of Reference)	A TOR shall mean the document prepared by the respective department defining the technical requirements for an assignment and means to be made available, concerns to be taken into account as well as the expected results or deliverables.
Works	Includes any work associated with the construction, reconstruction, demolition, repair, or renovation of a building or structure, on the surface or underground, and includes the preparation excavation, erection, assembly, installation, testing and commissioning of any plant, equipment or materials. This shall include turnkey projects, build own and operate projects, build operate and transfer projects or any arrangement following in this nature.

4. GUIDING PRINCIPLES

4.1. Transparency in UGHE Procurement.

All procurement processes shall be conducted with the highest level of transparency to ensure accountability and fairness. This includes providing clear and timely information about procurement opportunities, criteria, and decisions, as well as maintaining accessible records of procurement actions.

Stakeholders and the public will be informed of procurement procedures, ensuring open access to relevant documentation and decision-making processes. By fostering an environment of transparency, we aim to build trust and confidence in our procurement activities, while deterring corruption and promoting equitable access for all potential suppliers.

4.2. Fairness and Equality

In pursuit of transparency and integrity, this procurement policy upholds fairness and equality as fundamental principles guiding all procurement activities. All suppliers and service providers shall be given equal opportunity to compete for contracts, ensuring that selection processes are non-discriminatory, impartial, and free from favoritism. The evaluation criteria shall be clearly defined and uniformly applied, promoting a level playing field for all participants. Efforts will be made to encourage diverse participation, including but not limited to small, minority-owned, and women-owned businesses. This commitment to fairness and equality aims to foster trust and confidence in the procurement process, while ensuring the best value for the University and the community it serves.

UGHE shall prioritize sourcing from locally registered companies and shall give consideration to Butaro-based suppliers as part of its community engagement efforts.

4.3. Competitive Bidding

In alignment with our commitment to transparency, fairness, and value maximization, all procurement activities shall adhere to the principle of competitive bidding. This process ensures that all qualified vendors have an equal opportunity to submit proposals for the goods and services required UGHE. Competitive bidding shall be conducted through a structured solicitation process, where criteria for evaluation are clearly defined and communicated to all participants. The University reserves the right to reject any bids that do not meet the specified requirements or are deemed non-compliant with the established guidelines, thereby ensuring the selection of the most advantageous offer that meets both quality and cost-effectiveness.

4.4. Ethical Standards

All procurement activities shall be conducted with a commitment to honesty, transparency, and fairness, ensuring that all vendors and suppliers are treated equitably and without favoritism. We will not engage with any parties that exhibit unethical behavior, including, but not limited to, bribery, corruption, or conflicts of interest. UGHE is dedicated to fostering sustainable and responsible sourcing practices that respect human rights, promote environmental stewardship, and uphold the highest ethical standards throughout the supply chain. Any employee involved in procurement will receive training on these ethical guidelines and will be required to comply with them, as adherence to these principles is essential for the long-term success and reputation of our university.

4.5. Value for Money

In all procurement activities, the principle of value for money shall be a fundamental consideration. This entails ensuring that the optimal balance is achieved between the quality of goods and services, cost-effectiveness, and the benefits delivered over their lifecycle. All procurement decisions must assess not only the initial costs but also the long-term implications, including maintenance, operational efficiency, and sustainability. By prioritizing value for money, UGHE commits to making decisions

that maximize resource allocation while fulfilling the needs of stakeholders and contributing to the overall mission and objectives of the University.

5. ROLES AND RESPONSIBILITIES

5.1. End Users

End Users play a crucial role in the procurement process as they are the end-users of the goods and services that are being purchased. Their involvement ensures that the procurement activities align with the University needs and objectives. Here's a breakdown of their roles along with a sample clause that could be included in a procurement policy or contract.

- a) **Needs Assessment:** Each End User shall conduct a comprehensive needs assessment prior to initiating procurement activities. This assessment should clearly define the specifications, quantities, and quality standards required.
- b) **Specification Development:** End Users are responsible for developing and submitting detailed specifications related to their procurement needs. These specifications shall be standardized to prevent ambiguity and ensure compliance with internal and external regulations.
If there are gaps in developing detailed specifications, the user department may request to use the services of a specialized person/consultant if needed, to support developing the specifications. The request for an external consultant should be approved by DVC with the advice of the procurement director.
- c) **Vendor Selection:** For tenders below 20 million, End Users shall, in an advisory capacity participate in the vendor selection process, assisting the Procurement Committee in evaluating potential suppliers based on set criteria such as price, quality, reliability, and service capabilities but shall have no voting right to determine the supplier/ contractor.
- d) **Budget Adherence:** Each End User shall ensure that all procurement requests are within the approved Department budget and align with overall UGHE's financial guidelines.
The End Users shall also develop annual procurement budgets for their given Departments. The End Users shall ensure purchase requisitions are submitted within the approved procurement budget timelines.
Before submission of any request end user will submit the request together with the budget confirmation from the finance department. It should include the budget amount allocated to that specific tender.
- e) **Performance Evaluation:** Upon delivery of goods and services, End Users are required to assess vendor performance, documenting any issues or success for future reference. This feedback will be utilized in performance reviews and future procurement decisions.
- f) **Collaboration with Procurement Team:** End Users shall work collaboratively with the Procurement Team throughout the procurement process, providing necessary inputs and participating in discussions related to sourcing and selection strategies.
- g) **Approval Process:** The end user shall support with technical expertise when needed to ensure technical compliance, ensuring that the selected products or services align with the department's Requirements.

- h) End Users shall receive the goods and services and shall manage the long-term assets and projects.
- i) **Post-Purchase Feedback:** After procurement, End Users shall provide feedback on supplier performance and product effectiveness, which can influence future purchasing decisions.
- j) **Process payment:** The end user shall work with the procurement team and the finance department to process the payment of a given vendor.

5.2. Procurement Team

The procurement team plays a critical role in managing the acquisition of goods and services for UGHE. Their primary responsibilities include:

- a) Conducting all procurement activities (in line with the relevant SOPs) in a transparent, competitive, and ethical manner, adhering to the principles of fair competition, integrity, and accountability.
- b) Developing and implementing procurement strategies that align with UGHE's goals and objectives, while continuously seeking opportunities for cost savings and operational efficiencies.
- c) Establishing and maintaining relationships with suppliers and stakeholders to facilitate effective communication and collaboration in meeting the UGHE's procurement needs.
- d) Ensuring that all procurement documentation, including requisitions, contracts, and purchase orders, is complete, accurate, and in compliance with university policies and regulatory requirements.
- e) Conducting periodic reviews of supplier performance and initiating corrective actions as needed to enhance service delivery and reduce risks.
- f) Provide regular reports on procurement activities, spend analysis, and supplier performance to the DVC- AF, aid in strategic decision-making.
- g) Conduct ongoing market research to identify trends, new products, and best practices that can lead to improvements in the procurement process.
- h) Collaborate with finance and relevant end user to develop and manage the procurement budget, ensuring that all purchasing activities align with financial goals.
- i) In line with the relevant SOP, oversee the purchasing process from requisition through to delivery, ensuring timely acquisition and minimizing delays.
- j) Receive tender submissions, ensuring the confidentiality of the bids until the opening and shall conduct the opening of tenders in a transparent manner.
- k) Engage in negotiations with suppliers in line with this manual and relevant SOPs to secure favorable terms and conditions, ensuring value for money and compliance with university standards.
- l) Identify and evaluate potential suppliers to ensure the procurement of quality products and services at competitive prices in line with this manual and relevant SOPs.
- m) The procurement function shall be responsible for the technical implementation of the policies and procedures articulated in this manual.
- n) Evaluating Tenders: The Procurement Team evaluates the submitted tenders in line with Annex 1 based on predetermined criteria, which often include technical capability, quality, price, and compliance with specifications.

All members of the procurement team are accountable for their actions and decisions made during the procurement process, ensuring adherence to this policy and related procedures.

5.3. Procurement Committee

The primary responsibilities of the procurement committee are:

- a) **Evaluating Tenders:** The committee evaluates the submitted tenders in line with Annex 1 based on predetermined criteria, which often include technical capability, quality, price, and compliance with specifications.
- b) **Conducting Discussions and Negotiations:** If required, the committee may engage in discussions or negotiations with bidders to clarify details or improve terms before making a final decision.
- c) **Recommending Award:** After evaluation, the committee makes a recommendation for the award of the contract to the DVC-AF, often including justifications for their choice.
- d) **Ensuring Compliance:** Ensure compliance with standard analysis, contracting and reporting.
- e) **Handling Appeals and Disputes:** If bidders raise concerns or disputes regarding the tender process, the committee may be involved in resolving these issues.
- f) **Documenting Proceedings:** Keeping accurate records of the tender process, including evaluations, decisions, and correspondence, is essential for accountability and future reference.
- g) **Report Preparation:** At the conclusion of the tender process, the committee should prepare a comprehensive report detailing the process, evaluations, decisions, and recommendations.

5.4. Senior Management Committee

The Senior Management Committee ("SMC") commits to ensuring a transparent, ethical, and efficient procurement process that aligns with UGHE's mission and strategic objectives. To this end, the SMC shall:

- a) Approve the University's Procurement Manual and related SOPs, which shall outline the principles and guidelines governing all procurement activities.

5.5. Executive Leadership Team

The Executive Leadership Team("ELT") commits to ensuring a transparent, ethical, and efficient procurement process that aligns with UGHE's mission and strategic objectives. To this end, the ELT shall:

- a) Review and approve or reject any procurement tenders in line with the threshold provided in Annex 1. ensure alignment with strategic priorities and budgetary constraints.
- b) Mandate that all procurement decisions adhere to principles of fairness, transparency, and competitiveness, promoting equal opportunity for all prospective suppliers.
- c) Assign an Internal Auditor to monitor procurement activities, assess supplier performance, and evaluate compliance with the procurement policy. The Auditor will report its findings to the ELT upon conclusion of the internal audit.
- d) Ensure a comprehensive risk assessment is performed for all major procurements, evaluating financial, operational, reputational, and regulatory risks associated with supplier engagement.

- e) Encourage an environment of ethical conduct in procurement activities, reinforcing the importance of integrity and accountability among employees involved in the procurement process.
- f) Periodically review the effectiveness and efficiency of procurement practices, considering feedback from stakeholders to continually improve the procurement function.
- g) Approve members of the Procurement Committee.

6. PROCUREMENT PROCEDURES.

6.1. Procurement Planning

UGHE shall implement a systematic approach to procurement planning to ensure efficient and effective acquisition of goods and services. Procurement planning will begin with a comprehensive assessment of university needs, which will be conducted annually and reviewed quarterly to account for any changes in operational requirements. The procurement plan must outline the specific goods and services required, expected timelines for procurement activities and estimated budgets. This planning process will involve collaboration among relevant Departments to ensure alignment with the University's strategic objectives and compliance with applicable regulations.

Furthermore, the annual procurement plan shall undergo an approval process prior to implementation, involving designated procurement officers, Budget Manager and the Deputy Vice Chancellor in Charge of Finance and Administration. This ensures that all procurement activities are transparent, accountable, and adhere to best practices in procurement governance. Regular updates to the procurement plan will be communicated to all stakeholders, and any significant deviations from the planned procurement activities must be justified and authorized by the appropriate management personnel. By maintaining a detailed and adaptive procurement planning process, the University aims to maximize value while minimizing risks in its procurement activities.

The Senior Management Committee (SMC) shall adopt Standard Operating Procedures (SOPs) that will govern the procurement planning process.

6.2. Supplier Selection

In the procurement process, the selection of suppliers shall adhere to a structured evaluation criteria to ensure transparency, fairness, and value for money. The primary criteria for supplier evaluation will include the supplier's financial stability, relevant experience in the industry, capacity to deliver the required goods or services, adherence to quality standards, compliance with regulatory requirements, and price among others. Additionally, suppliers will be assessed based on their past performance records, references from previous clients, and their ability to meet the specific needs outlined in the procurement requirements at the right price. The evaluation process will be documented thoroughly to maintain accountability and provide a clear rationale for the selection decisions made.

To ensure that only qualified suppliers are considered for procurement opportunities, a prequalification process will be implemented. This process will involve an invitation to potential suppliers to submit essential documentation, including their business licenses, certifications, and financial statements.

The Senior Management Committee (SMC) shall adopt Standard Operating Procedures (SOPs) that will govern the supplier selection process.

6.3. Tendering Process

Types of Procurement Methods

In UGHE, the procurement process is designed to be efficient, transparent, and competitive, ensuring the best value for the public and stakeholders. Various procurement methods may be utilized depending on the nature, complexity, and value of the goods or services required. The primary methods include open tendering, restricted tendering, and direct purchase. Open tendering invites a wide range of suppliers to submit bids, promoting a competitive marketplace. This method is typically employed for large contracts or projects where multiple bidders can be expected. In contrast, restricted tendering is utilized when there is a need for specialized expertise or when the market is limited; only pre-selected suppliers are invited to submit proposals. Direct purchasing is an expedited procurement method appropriate for low-value items or urgent needs, allowing for a more streamlined and simplified approach.

Tender Documents

To initiate the procurement process, tender documents must be prepared and disseminated.

Tender documents refer to the tender solicitation documents or other documents for solicitation of bids on the basis of which bidders are to prepare their bids; The tender documents shall contain enough information to allow fair competition among those who may wish to submit tenders. The standard tender documents include but not limited to the following information: (a) instructions to bidders (b) evaluation criteria; (c) tender requirements or specifications; etc.

The SMC adopted Standard Operating Procedures (SOPs) that will govern the tendering process in UGHE.

Bid Evaluation and Awarding Contracts

The evaluation of bids will be conducted using a transparent and systematic approach based on pre-defined criteria that reflect the best value for UGHE. The evaluation criteria may include, but are not limited to, the bidder's qualifications, technical capabilities, pricing, delivery timelines, and compliance with relevant regulations and standards. A scoring system will be employed to objectively assess and rank the proposals received. The decision-making process will involve the Procurement Committee, Procurement function and the Executive Leadership Team according to established guidelines. The committee will convene to review the bids, discuss findings, and reach a consensus before making a recommendation for contract award.

To uphold the integrity of the procurement process, all participants involved in the bid evaluation and awarding process must disclose any potential conflicts of interest prior to their participation. A conflict of interest is defined as any personal, professional, or financial relationship that could improperly influence the decision-making process. Participants will be required to complete a Conflict-of-Interest

Declaration form and will be held accountable for disclosing any such connections. Failure to disclose relevant conflicts may result in disqualification from the evaluation process and could lead to further consequences as outlined in the University's Human Resource Manual. This commitment ensures that all procurement activities are conducted impartially, fostering public confidence in the fairness and transparency of the procurement process.

The SMC shall adopt Standard Operating Procedures (SOPs) that will govern the bid evaluation process in UGHE

7. PROCUREMENT CONTRACT

“Procurement contract” (including the terms ‘Purchase Order’ or ‘Consultancy Contract’ or ‘Contract for Services’ under certain contexts), means a formal legal agreement in writing relating to the subject matter of procurement, entered into between the UGHE and the supplier, service provider or contractor on mutually acceptable terms and conditions and which are in compliance with all the relevant provisions of the laws of the country. The term “contract” will also include “rate contract” and “framework contract”.

8. CONTRACT MANAGEMENT

All purchases made by UGHE will be formalized through written contracts. For recurring purchases from the same supplier where prices remain stable for a defined period, Framework Contracts will be utilized.

These Framework Contracts will be awarded for an initial period of one year, with the option for two renewals. To clarify, the total duration of a Framework Contract with the same supplier shall not exceed three (3) years with the exception of Butaro based suppliers under the community engagement program. In the execution of procurement agreements, all contracts shall be accompanied by clearly defined Terms and Conditions that outline the obligations and rights of both parties, including compliance with applicable laws, delivery timelines, quality standards, and liability provisions. The University shall implement a robust monitoring system to assess Supplier Performance, which will include regular evaluations based on key performance indicators (KPIs), end user feedback, and adherence to service level agreements (SLAs). The procurement team will conduct periodic reviews and performance audits to ensure suppliers consistently meet agreed standards, and any deviations will be addressed promptly through corrective action plans.

Payments to suppliers will be governed by established Payment Terms and Procedures to ensure transparency and efficiency in financial transactions. Invoices must be submitted in accordance with the agreed-upon payment schedule outlined in the contract, and all payments will be processed within the specified timeframe, contingent on the fulfillment of all contractual obligations and performance criteria. Any disputes arising from invoicing or payment discrepancies must be communicated in writing to both parties, and resolution processes will be initiated to maintain healthy supplier relationships while safeguarding the University's financial integrity.

The SMC shall adopt Standard Operating Procedures (SOPs) that will govern contract management processes in UGHE.

9. ETHICAL CONSIDERATIONS IN PROCUREMENT

In the pursuit of integrity and transparency, all employees involved in the procurement process must adhere to the highest ethical standards. This includes a strict anti-corruption stance, prohibiting any form of bribery or corrupt practices, whether direct or indirect. Employees must not solicit, accept, or offer any gifts, favors, or benefits from or to suppliers, clients, or other third parties that may influence, or appear to influence, their impartiality in decision-making. Any suspected violations must be reported immediately to the designated compliance officer for investigation, with appropriate disciplinary measures enforced to maintain the integrity of the procurement process.

Furthermore, the handling of gifts and hospitality from suppliers requires stringent guidelines. Employees are permitted to accept modest gifts and hospitality only when they are reasonable, infrequent, and in line with local customs. Any gifts exceeding a predetermined value must be declared to management, and records must be maintained to ensure transparency. Hospitality, such as meals or entertainment, should not exceed what is deemed appropriate and should always have a legitimate business purpose. This policy is designed to prevent conflicts of interest and ensure that all procurement activities are conducted fairly and ethically, safeguarding the University's reputation and fostering trust with all stakeholders.

10. CONCLUSION

In conclusion, our commitment to ethical procurement is foundational to UGHE's integrity and reputation. By adhering strictly to this procurement manual, we not only ensure fairness and transparency in our purchasing processes but also foster trust and accountability among our stakeholders. It is imperative that all employees understand the significance of this policy and diligently apply its principles, as doing so reinforces our dedication to responsible sourcing and promotes a culture of ethical behavior that aligns with our core values. Together, we can achieve sustainable outcomes that benefit our university and the communities we serve.

ANNEX I: STANDARD OPERATING PROCEDURES FOR PROCUREMENT PLANNING AND STRATEGY.

1. INTRODUCTION

Effective procurement planning is critical for ensuring that the University secures the necessary goods and services in a timely, cost-effective, and efficient manner. This Standard Operating Procedure (SOP) outlines the processes and guidelines that govern the procurement planning activities within the University of Global Health Equity (UGHE).

This SOP aims to provide a structured framework for the planning, execution, and management of procurement activities to achieve University objectives while maintaining compliance with legal, ethical, and financial policies. By establishing clear guidelines, we seek to enhance transparency, promote accountability, and ensure that all procurement activities align with the strategic goals of the University.

By adhering to this SOP, UGHE aims to streamline the procurement process, reduce lead times, and ultimately enhance operational efficiency, thereby contributing to the University's success. All employees involved in the procurement process are expected to familiarize themselves with this document and implement its guidelines diligently.

1.1. Purpose of the SOP

The purpose of this Procurement Planning Standard Operating Procedure (SOP) is to establish a systematic framework for the planning and management of procurement activities within UGHE. This SOP aims to ensure that procurement processes are conducted efficiently, effectively, and in alignment with university goals and compliance requirements. Specifically, this SOP seeks to:

- **Drive Cost-Effectiveness and Value for Money:** Promote practices that maximize value for money in procurement decisions through informed analysis, competitive sourcing, and prudent risk management.
- **Standardize Procedures:** Provide clear guidelines and standardized procedures for all procurement-related activities to promote consistency and transparency.
- **Optimize Resource Allocation:** Ensure that resources are allocated efficiently to meet operational needs and strategic objectives while minimizing waste and procurement-related risks.
- **Enhance Compliance and Accountability:** Uphold compliance with applicable laws, regulations, and University policies, fostering accountability and ethical conduct in procurement activities.
- **Foster Continuous Improvement:** Provide a basis for monitoring, evaluating, and improving procurement practices to adapt to changing University needs and market conditions.

This SOP serves as a guideline for all Departments involved in the procurement process, enabling them to make informed decisions and contribute to the overall success of UGHE's mission and objectives.

1.2. Scope of the SOP

This SOP applies to all Departments within UGHE, and staff involved in the procurement of goods and services. It encompasses the planning, budgeting sourcing, selection, and procurement execution processes.

2. ROLES AND RESPONSIBILITIES

2.1. Procurement Team

The procurement team shall play a pivotal role in the procurement planning process to ensure that all University purchasing activities align with strategic goals, budgetary limits, and operational needs.

- **Needs Assessment:** The procurement team is responsible for collaborating with various Departments to assess and identify purchasing needs, ensuring a thorough understanding of specifications and requirements. The procurement team consolidates all the different annual procurement plans from the different UGHE Departments into a single UGHE annual procurement plan. The procurement team shall discuss the draft Department procurement plans with the procurement heads before consolidation.
- **Market Research:** The team shall conduct comprehensive market analysis to identify potential suppliers, assess market conditions, and evaluate pricing trends to make informed procurement decisions.
- **Budget Alignment:** The procurement team will work closely with the finance Department to ensure that procurement activities are consistent with the University's budgetary limits and financial policies.
- **Procurement Schedule Development:** The team shall develop and maintain a procurement schedule that outlines timelines for requisitioning, purchasing, and delivery of goods and services.
- **Risk Management:** The team shall identify and analyze potential risks associated with procurement activities, developing strategies to mitigate these risks and ensure continuity of supply.
- **Reporting and Accountability:** The procurement team shall report regularly to the DVC - AF on the status of procurement planning activities highlighting delays and concluded deliverables. The procurement team shall also recommend revision of the procurement plan to the SMC for approval.

2.2. End Users

End Users are integral to the procurement planning process and are responsible for the following:

- Collaborate with team members to accurately assess and articulate the procurement needs of their respective Departments. This includes identifying specific goods and services required, along with projected quantities and timelines.
- Ensure that all procurement requests align with Department budgets and University financial objectives. End Users must review and approve budget allocations for proposed purchases before submission to the procurement team.
- Submit procurement requests to the procurement Department within the established timelines to facilitate efficient planning and processing. Requests must include all relevant

documentation, including detailed specifications, required approvals, justifications for purchases.

The End Users have the primary responsibility to ensure that the approved Department procurement plans are strictly followed. The End Users shall collaborate with the Procurement Team to provide Quarterly status reports of execution of the approved annual procurement plan.

End Users shall prepare and submit requests to amend a given approved procurement plan in line with the process described in this SOP.

2.3. Deputy Vice Chancellor – Administration and Finance Affair (DVC-AF)

The responsibilities of the DVC-AF in procurement planning often encompass governance, oversight, and strategic alignment. Here are some key responsibilities of the DVC-AF regarding procurement planning:

- **Strategic Oversight:** The DVC-AF ensures that the procurement plan align with the University's overall mission, goals, and strategic objectives.
- **Approval of Annual Procurement Plan:** The DVC-AF shall review and approve the consolidated annual procurement plan presented by the procurement team and recommended in line with this SOP. The DVC-AF shall further recommend approval any adjustments to the approved procurement plan in line with the process described in this SOP.
- **Approval of Procurement Contracts:** Once the contract has been thoroughly evaluated and deemed satisfactory, the DVC-AF will provide formal approval, allowing the procurement process to move forward and ensuring that the University can effectively engage with the selected vendor or supplier. This approval is not only a procedural requirement but also a safeguard that enhances the integrity and efficiency of the procurement function.
- **Performance Review:** The DVC-AF shall regularly review procurement performance metrics and reports to assess efficiency, compliance, and effectiveness with the procurement strategy. The DVC-AF shall assess and provide feedback to the Procurement Team regarding the status of execution of the procurement plan.

3. PROCUREMENT PLANNING PROCESS

3.1. Needs Assessment

In the procurement planning process, each Department will conduct a needs assessment to identify the goods and services required for the successful implementation of prioritized interventions for the financial year (FY). This assessment culminates in the development of a given Department's Annual Procurement Plan, which specifies the necessary items, their availability timelines, and estimated costs.

The Department needs assessment exercise shall be closely aligned with annual budget preparation and should be completed at least three months before the end of a given Financial Year, ensuring that all purchase needs are addressed and documented before the new FY budget is approved.

Upon completion of the needs assessment, the End Users shall submit their respective results from the needs assessment to the procurement team for it to proceed with the market and price survey.

3.2. Market Analysis

Upon completion of the needs assessment, the Procurement team shall conduct a thorough market analysis to inform the Procurement Departments Annual Plan. This analysis will involve researching current market trends, identifying potential suppliers, and evaluating the availability and pricing of the goods and services required for the implementation of prioritized interventions.

The market analysis should include the following components:

- a) **Supplier Identification:** A comprehensive list of potential vendors and suppliers who can provide the identified goods and services, including an evaluation of their capacity, reliability, and past performance.
- b) **Market Trends:** An overview of prevailing market conditions, including pricing trends, supply chain factors, and any anticipated changes that may affect procurement decisions.
- c) **Cost Estimates:** Preliminary pricing information based on available data, including quotes from suppliers, to assist in creating accurate budget forecasts within the Annual Procurement Plan.
- d) **Risk Assessment:** Evaluation of potential risks associated with supplier reliability and market volatility that may impact the procurement process and delivery timelines.
- e) **Regulatory Considerations:** Identification of any relevant regulations or compliance requirements that must be addressed within the procurement planning process.

The findings from the market analysis shall be documented and presented to the relevant End Users during the planning phase to ensure development of a well-informed procurement plan. This analysis will be periodically reviewed and updated as necessary throughout the financial year to accommodate any changes in market conditions or University priorities.

The Market Analysis shall be submitted to the Director of Finance for review and clearance before sharing with the End Users. The Market Analysis shall be concluded at least two months before the end of a given financial year.

3.3. Budgeting and Financial Planning

Upon completion of the market analysis, the End User shall develop a budget that aligns with the UGHE strategic objectives. The budget will include the projected costs for goods and services, as well as any associated expenses such as shipping, handling, and contingencies.

The budget shall undergo the budget approval process in line with the University's Finance Manual as amended from time to time.

3.4. Annual Procurement Plan

Upon the approval of the financial budget for the fiscal year, each End User shall be responsible for the preparation of an Annual Procurement Plan. This plan must encompass the anticipated procurement needs associated with their respective Departments, including but not limited to goods, services, works, and consulting services required to achieve the Department's objectives. The content of the Annual

Procurement Plan shall include a detailed description of the items to be procured, quantities, estimated costs, procurement methods, timelines, and any relevant specifications or standards.

In developing the Annual Procurement Plan, End Users are required to engage key beneficiaries, including relevant ministries and stakeholders, to ensure that the identified needs align with university goals and community priorities. This collaborative approach further aims to ensure that the exception of the University and the stakeholders are aligned.

Upon completion, End Users shall submit their respective Annual Procurement Plans to the procurement team for consolidation. The procurement team will review, harmonize, and finalize the overall Annual Procurement Plan.

The consolidated annual procurement plan shall then be shared with the DVC AF to confirm alignment with the annual financial budget before it is circulated with the SMC for further review and approval. The procurement plan shall then be signed off by the Vice Chancellor for implementation.

4. MONITORING OF THE PROCUREMENT PLAN

All purchases made by UGHE shall be in line with the approved annual procurement plan. The procurement team shall implement a robust monitoring system to ensure compliance with the procurement plan, which will include regular reviews and assessments of procurement activities against the established objectives, timelines, and budgetary constraints outlined in the plan.

The procurement team shall be responsible for documenting all procurement actions, and any deviations from the plan must be justified and documented in a variance report. For avoidance of doubt, justification for deviation shall be submitted by the End User.

The procurement team shall share Quarterly reports with the DVC-AF highlighting the status of implementation of the procurement plan.

5. AMENDMENT OF THE PROCUREMENT PLAN

The annual procurement plan is a key strategic document of the University, designed to outline the procurement needs and priorities for the fiscal year. Recognizing the dynamic nature of university requirements and market conditions, the University reserves the right to amend the procurement plan as necessary. Amendments may be initiated in response to changes in budgetary allocations, shifts in market conditions, or any unforeseen circumstances impacting the procurement process.

Proposals for amendments shall be documented by End Users and submitted to the Procurement Team for evaluation, providing a clear rationale for the changes sought. The Procurement Team will review such proposals and make recommendations to the DVC-AF. All major amendments to the procurement plan shall be communicated to the ELT.

Amendments shall be recorded in a timely manner, and the updated procurement plan will be disseminated to ensure that all procurement activities adhere to the latest approved guidelines and priorities. Regular reviews of the procurement plan will continue to be conducted to ensure its continued relevance and effectiveness in meeting the University's goals.

6. EXTRABUDGETARY PROCUREMENT REQUESTS

Extrabudgetary procurement requests are requests for goods, services, or works that go beyond the approved budget for a specific project, activity or requests that arise subsequent to approval of the annual procurement plan. These requests may arise due to changes in project scope, unexpected expenses, or other unforeseen needs that require additional funding.

To initiate an extrabudgetary procurement request, the relevant Department must submit a written request to the Procurement Team, detailing the need for additional resources and providing a justification for the request.

The Procurement Unit will review the request to assess its validity and will submit it to the DVC-FA for approval.

Once an extrabudgetary procurement request is approved, the department will coordinate with the Finance Unit to make the necessary adjustments to the procurement plan. The Procurement Team shall submit regular reports regarding extrabudgetary requests which will be provided to management to ensure transparency and oversight in financial planning.

7. DEVIATIONS

Any deviation from the processes stipulated in this Standard Operating Procedure (SOP) shall first be reviewed by the Procurement Team. Following this, it must be cleared by the DVC- AF before ELT final approval.

8. PERIODIC REVIEW

The Procurement Planning Standard Operating Procedure (SOP) shall undergo a comprehensive review every two (2) years to ensure its relevance, effectiveness, and compliance with applicable regulations and best practices. Additionally, this SOP may be subject to an unscheduled review whenever significant changes in legislation, University structure, operational practices, or technological advancements occur, or if performance assessments indicate the need for revisions.

The review process shall be initiated by the Procurement Team and reviewed by the Legal Counsel before it is submitted to the SMC for approval.

ANNEX II: STANDARD OPERATING PROCEDURES FOR SOURCING

1. INTRODUCTION

Effective sourcing is essential for the successful procurement of goods and services that meet the University needs of the University of Global Health Equity (UGHE). This Standard Operating Procedure (SOP) outlines the structured approach for all sourcing activities within the University, ensuring that we acquire high-quality products and services in a manner that is timely, cost-effective, and aligned with our strategic objectives.

The purpose of this SOP is to provide clear guidelines and processes that govern the sourcing and vendor selection activities at UGHE. By establishing a well-defined framework, we aim to enhance transparency, promote accountability, and maintain compliance with legal, ethical, and financial policies throughout the sourcing process. The SOP serves as a comprehensive resource that assists staff in understanding their roles and responsibilities in executing effective sourcing strategies.

Through the implementation of this SOP, UGHE seeks to optimize supplier relationships, minimize procurement risks, and ultimately strengthen our operational capabilities. All employees involved in sourcing activities are expected to familiarize themselves with this document and adhere to its guidelines diligently, thereby contributing to the overall success and mission of the University.

By fostering effective sourcing practices, UGHE can better support its programmatic initiatives, ensuring that we have the necessary items to deliver quality healthcare services to the communities we serve.

1.1.Purpose of the SOP

The purpose of this Sourcing Standard Operating Procedure (SOP) is to establish a comprehensive framework that governs the acquisition of goods and services essential for the operational needs of the University. This SOP aims to ensure that sourcing activities are conducted in a consistent, efficient, and transparent manner, promoting best practices in procurement while adhering to relevant legal and regulatory requirements.

The key objectives of this SOP include:

1. **Standardization and Certainty:** To create uniform processes and criteria for sourcing that enhance consistency across the University's procurement activities.
2. **Efficiency:** To streamline sourcing procedures, reducing lead times and optimizing resources to achieve timely delivery of goods and services.
3. **Compliance:** To ensure that all sourcing activities are conducted in accordance with applicable laws, regulations, and University policies, mitigating risks associated with non-compliance.
4. **Quality Assurance:** To establish clear guidelines for evaluating suppliers and their offerings, ensuring that purchased goods and services meet the University's quality standards and specifications.

5. **Cost Management:** To implement strategies for cost-effective sourcing that deliver value to the University, including negotiations, supplier evaluations, and lifecycle cost assessments.
6. **Risk Mitigation:** To identify potential risks associated with the sourcing process and establish measures to effectively manage and mitigate these risks.

This SOP serves as a resource for all staff involved in the sourcing and procurement process, ensuring that each step is executed with integrity and in alignment with the University's strategic goals.

1.2. Scope of this SOP

The scope of this Sourcing Standard Operating Procedure (SOP) encompasses all activities related to the identification, selection, and procurement of goods and services required by the UGHE. This SOP applies to all Departments and employees involved in the sourcing process and outlines the necessary steps to ensure compliance with university policies, budgetary constraints, and quality standards.

2. ROLES AND RESPONSIBILITIES

2.1. Procurement Team

The Procurement Team is responsible for the effective execution of the sourcing process, ensuring that all activities comply with the University's policies and regulatory requirements. The specific responsibilities of the Procurement Team include, but are not limited to:

1. **Invitation to vendors:** The Procurement function will be responsible for preparing the solicitation letter.
2. **Bid Opening, Evaluation and Selection:** The Procurement Team shall facilitate the evaluation of submitted bids by establishing evaluation criteria, and record keeping ensuring transparency and fairness. The Procurement Team shall conduct and participate in the bid evaluation process based on the guidelines outlined in this SOP. For avoidance of doubt, the procurement team shall offer technical guidance during Procurement Committee meetings when called upon.
3. **Negotiation:** The team will participate in the negotiations with selected suppliers to achieve optimal pricing, terms, and conditions while ensuring the University's interests are represented. The Procurement Team's participation in the negotiation process shall be guided by the provisions of this manual as amended to date.
4. **Reporting and Compliance:** The Procurement Team is responsible for providing regular reports on sourcing activities to the DVC-AF, ensuring that sourcing decisions align with the University's annual procurement plan, strategic goals and compliance with ethical sourcing standards.
5. **Continuous Improvement:** The team will engage in ongoing assessment and refinement of sourcing processes to enhance efficiency, cost-effectiveness, and supplier performance.

By adhering to these responsibilities, the Procurement Team plays a crucial role in the effective and strategic sourcing of goods and services that meet the University's needs.

2.2. Procurement Committee

1. The mandate of the Procurement Committee is to undertake procurement processes review, tenders' analysis; reporting; contracts awarding according to the approved thresholds from time to time.
2. This role is fulfilled through effectively and efficiently undertaking main tendering processes; sourcing review (list of suggested invited bidders for tenders, participating in bids reception through eProcurement system and analysis, price negotiations and contract awarding proposal) and advising UGHE Management.
3. Being part of the team that carries out analysis, is part of the price negotiation team and formulate recommendations for award of contracts.
4. Bids shall be submitted and uploaded (by bidders) through the eProcurement system. Opening bids will be done automatically in eProcurement immediately after expiration of the bidding period. For complex tenders with significant tender documentation, and as such cannot go through the e-procurement, the procurement committee will be invited for the bids opening.
5. Check through and consider evaluations/analyzes done by technical teams (engineers, Department experts among others) for the tender awarding decisions.
6. Maintain proper records of Committee meetings, including records of the recommended procurements (tender awards).
7. Ensure compliance with standard analysis, contracting and reporting obligations.
8. Facilitate response to contractors' inquiries with regards to tender analysis and awarding.
9. Make recommendation to the DVC-AF on tender analysis and awards as well as matters with procurements processes.

NOTE:

If the End user is part of the procurement committee, he/she should not be a voting member. If the End user is the Chairperson of the procurement committee a new Chairperson should be designed for that specific session.

2.3. Deputy Vice Chancellor – Administration and Finance (DVC-AF)

The DVC-AF shall play a critical role in the sourcing and procurement process of the University. The DVC-AF's responsibilities typically include overseeing the procurement strategy, approving significant purchasing decisions, and maintaining relationships with key vendors. Here's a more detailed breakdown of their responsibilities:

1. **Strategic Oversight:** The DVC-AF has the overall oversight of the sourcing strategies adopted by UGHE. This oversight is exercised through overseeing performance of the procurement plan, approving key contracts, and performance monitoring.
2. **Approval Authority:** The DVC-AF has the authority to approve high-volume purchases or contracts over a specified approved threshold. The ELT shall approve the threshold.

3. **Performance Monitoring:** Monitors the performance of the procurement committee and procurement team and the efficacy of the sourcing strategies implemented.
4. **Ethical Oversight:** The DVC-AF promotes ethical sourcing practices, ensuring that sourcing decisions are made with integrity and that they support social responsibility initiatives of UGHE.

2.4. Role of End User

The key duties of the End Users in the sourcing process include:

1. **Defining Requirements:** The Head of Department shall work with their team to determine the specific needs of the department. This includes outlining specifications, terms of reference, quality standards, and budget constraints for the goods or services required.
2. **Tender Preparation:** The End User shall participate in the preparation of tender documents (terms of reference or specifications), ensuring that all necessary information is included. This document usually consists of requirements, criteria for selection, terms and conditions, and timelines for submissions.
3. **Reviewing Proposals:** Once tenders have been submitted, the End User plays a role in the evaluation process, reviewing bids alongside a procurement committee, and assessing them against pre-set criteria. For avoidance of doubt, the contract award decisions on a given tender shall be left to the procurement committee or the relevant approval authority.
4. **Negotiation:** In some cases, the End User may engage in negotiations with the selected vendors to finalize terms and pricing before the contract is awarded. The negotiations team shall be composed in line with the Procurement Manual.

2.5. Legal Counsel Roles

The key duties of the legal counsel in contracting include:

1. **Legal Compliance:** Ensure that the contract complies with applicable laws, regulations, and policies, including industry standards, and university policies.
2. **Risk Assessment:** Identify and assess potential legal risks associated with the contracting process and provide recommendations to mitigate those risks.
3. **Dispute Resolution:** Advise on mechanisms for dispute resolution in the event of disagreements or conflicts arising during the tendering process or in the execution of the contract.
4. **Negotiation Support:** Assist in negotiations with bidders or contractors to finalize contract terms, ensuring that legal rights and obligations are clear and protect the interests of UGHE when required.

2.6. Finance Department's Role

The key duties of the Finance department in the sourcing process include:

2.6.1 Budgeting and Cost Estimation:

- **Preparation of Budgets:** Finance is responsible for preparing a budget for the tender process, including costs for labor, materials, overheads, and any other necessary expenses.
- **Payment Terms:** Setting favorable payment terms that align with the University's cash flow requirements.

2.6.2 Internal Audit Role

- a. The key duties of the internal auditor shall include:
- b. Ensure that the tender process complies with applicable laws, regulations, and policies, including industry standards, and university policies.

3. PROCUREMENT METHODS FOR PURCHASING GOODS, WORKS AND SERVICES

3.1. Open Competitive Bidding / Open Tendering:

An open tender is a procurement process in which UGHE invites bids from all qualified suppliers or contractors to provide goods or services. This process usually involves publicly advertising the tender, allowing any interested party to submit a proposal.

In principle, by virtue of the mission of UGHE, all University purchases shall be done using the open tender method / competitive bidding. Exceptions shall be in line with this procurement manual, the Sourcing SOP and the approved thresholds.

3.2. Open Tendering/Competitive Bidding Process

All procurement requests must be subjected to the Open Tendering Procurement method. Exceptions to the open tendering procurement method shall be in line with the provisions of this SOP.

3.3. Preparation of Tender Documents

The open tendering process shall be initiated by the End User through the UGHE E-procurement system. For the tender request to be considered for processing, it must be accompanied by the following documents, all submitted through the E-procurement system:

- a) Approved concepts note for new and uncommon requests: The concept note shall be fully approved by the End User. Concept notes for significant purchases shall be fully approved by the End User, Director of Finance and the DVC - AF. A threshold for significant purchase shall be determined by the SOP approving procurement thresholds.
- b) Terms of reference approved by the End User.
- c) Technical specifications approved by the End User in case of purchase of goods.

- d) Approved scope of work for consultants.
- e) The Ender User may from time to time seek the support of an expert consultant in determining the scope of works or technical specifications.

The Director of procurement shall review all documents submitted for a given requisition for completeness, accuracy and relevance in 7 working days from the date of submission through the E-procurement. The Director of Procurement reserves the right to recommend revision of a given document (in writing) in the event is determined that a given document is incomplete.

- **Concept Note:**

A concept note is required for all requisitions outside of the procurement plan. It shall be developed by the End User and approved by the DVC F&A prior to being considered for implementation. Concept notes for significant purchases shall be approved by the End User, Director of Finance, the DVC F&A and ELT. A threshold for significant purchase shall be determined the SOP approving procurement thresholds.

4. TERMS OF REFERENCE:

This is a statement showing background, clear description; objectives, purpose of a project and its general and technical requirements that can empower a suitable procurement sourcing. The terms of reference shall be developed and fully approved by the End User.

4.1. Content of Terms of Reference/ Technical Specifications/BOQ

The Content of the terms of reference varies from project to projects however, the following content shall be included all Terms of reference:

- **Background / Activity Summary:** The background provides context of the project, including its overall goals and references to related work that should be considered when selecting service providers or vendors.
- **Objectives/Description of the project or activity:** The objectives sections clearly outline the project's goals and the specific challenges it aims to address. This ensures that everyone involved in the bidding process understands the objectives and avoid any confusion.
- **Scope of Work:** This section defines what is included and excluded from the project such as the technical requirements for each activity area, location of the project and beneficiaries, if applicable (e.g., in construction or medical supply projects).
- **Restrictions:** List any constraints on the project, such as: regulatory requirements and financial limits, timelines and available resources, necessary approvals or certifications from third parties or stakeholders involved in the project (e.g., health certifications for medical equipment or environmental assessments for construction).
- **Anticipated Deliverables:** Describe the expected final products or outputs and how they align with the project's Terms of Reference (ToRs) or specifications. Include a list of quality and technical expectations that will be monitored to ensure compliance.
- **Evaluation Criteria for Deliverables:** Clearly define the targets and deliverables that will be used to evaluate the quality and compliance of the services provided. Include guidelines for conducting quality and physical inspections.

4.2. Approval of Terms of Reference / Procurement Requisitions

The End Users shall endeavor to engage the procurement team for technical support where required when developing the Terms of Reference.

The approved Terms of Reference / specifications shall be submitted through the E-procurement system to initiate the tendering process.

5. ISSUANCE OF TENDER / INVITATION TO BID

Following the approval of the Terms of Reference and submission of the procurement request in the E-procurement system, the Procurement Manager shall issue an invitation to bid notice. The notice shall be issued within 10 days from the date of submission of the procurement requisition and terms of reference in the E-procurement system.

The issuance of the Invitation to bid notice shall be published in an approved online or newspaper and the University website.

The Invitation to bid notice shall include the following content:

- Introduction
- Project Overview / The approved Terms of reference / Specification.
- Details on the Tender Document i.e., Technical Proposal, Financial Proposal.
- Other required Tender Documents i.e., Certificate of incorporation; Tax Clearance; References from previous contract employers etc.
- Date of Initiation of Tender
- Bid submission deadline.
- Date of Opening of Tender
- Eligibility criteria
- Evaluation criteria for consultancy
- Confidentiality
- Compliance with Anticorruption laws, UGHE PSEAH Policies.
- Reserved rights (reserves the right to reject any or all bids, to negotiate with bidders, and/or to cancel the bidding process.)

The Invitation to bid notice shall be signed off by the DVC-AF.

6. SUBMISSION OF BIDS

All bids shall be submitted in the E-procurement system and shall be kept confidential until the bid opening date. Bids not submitted through the E-procurement system / bids which are incomplete i.e., with missing tender documents shall not be considered. Bids received will be automatically registered in the tender opening register page of the E-procurement system

7. BID OPENING

The bid opening team consists of members of the Procurement team and the End User or their representative, and available members of the procurement committee.

All tenders received and opened must be listed and signed by the tender opening team.

For each tender submission, a member of the tender opening team will announce a summary of the tenders received, which will include the following details:

- The registration number of the bid.
- The name of the tenderer.
- The number of documents, samples, and soft copies submitted.
- The total financial offer and any applicable discounts.
- Whether or not a tender guarantee has been provided, if required.

In a two-bid tender process, only the technical documents will be opened at this stage; the separate financial bid will remain closed until after the technical evaluation is complete and scores have been assigned.

The bid opening team will then sign the summary of the bids received. Following this, the team will adjourn the meeting, and the signed opening report will be saved in the appropriate section of the e-procurement system, along with copies of all received bids.

All participants in the evaluation process shall declare conflict of interest in the event they are conflicted. Such members shall be excused from the entire valuation process.

8. Bid Evaluation & Evaluation Criteria

A. Evaluation Criteria.

The Procurement Committee shall determine the winning bid based on the guidelines in this SOP.

The criteria used for the evaluation of each tender must comply with the set criteria indicated in the bid documents.

8.1. Evaluation Framework for Non-Consultancy Services

For Non-Consultancy Services

- Vendors will be assessed using a merit point evaluation system based on their proposed approach or methodology for a specific sourcing activity. For avoidance of doubt, a merit point evaluation system shall mean a method used to compare suppliers or bids by assigning points based on specific criteria like price, quality, experience, and delivery time.
- The Procurement Committee will allocate 70 points out of 100 to the technical aspects of the proposal and 30 points out of 100 to the financial proposal. A minimum qualifying score will be established; vendors scoring below this threshold will be disqualified from further evaluation.

- Financial evaluations will be conducted such that the proposal with the lowest cost receives a financial score of 100, while other proposals are assigned financial scores inversely proportional to their price.
- The total score will be calculated by combining the weighted quality and cost scores. The supplier with the highest overall score (combining technical and financial evaluations) will be recommended for contract award.

For Non-Consultancy Services with Predetermined Tasks:

- Technical compliance selection will be utilized in these cases, where the primary focus is on whether the vendor meets the specified technical requirements.
- Evaluators will determine if a vendor’s proposal is compliant and substantially responsive. Any bid failing to meet technical specifications will be eliminated from financial/commercial evaluation.
- During the financial evaluation stage, the vendor with the most economically advantageous bid will be recommended for contract award.

i. Evaluation of Consultancy Services

a) Scoring Framework

- **Total Points: 100**
 - Technical Quality: Up to 70 points
 - Financial Cost: Up to 30 points

While the recommended ratio is 70/30, the Procurement Committee in consultation with the End User has the authority to adjust these weights based on specific project needs or conditions, provided they document their reasoning.

b) Technical Quality Assessment (70 Points)

- **Experience and Qualifications (30 Points):** Assess the relevant experience of the consultancy team, including education, certifications, and previous project success.
- **Approach and Methodology (20 Points):** Evaluate the proposed approach to the project, including innovation, feasibility, and clarity of the methodology.
- **Project Management and Deliverables (20 Points):** Review how the consultant plans to manage timelines, resources, and the clarity of deliverables.

c) Financial Cost Assessment (30 Points)

- **Pricing Structure (30 Points):** Analyze the competitiveness of the cost proposal, including a breakdown of labor, materials, and any additional fees.

8.2. Evaluation of Complex Purchases

Complex purchases involve acquiring goods or services that require intricate processes, detailed specifications, or specialized knowledge. These purchases are often characterized by their high value, technical nature, unique requirements, or long-term implications for the University.

Project Complexity	The weight of Technical Aspect	The weight of Cost Aspect
Highly Strategic Projects	100%	The commercial framework is negotiated after selection. Such projects will be approved by DVC-AF before proceeding.
High (e.g. IT Solutions, public works)	70%	30%
Moderate (e.g. events Management)	60%	40%
Low (e.g. promotions/activations)	40%	60%
Commodities (standard open market items or items which have been standardized through a prior process and only a price is being sought, for example purchase of standard Cisco items where the BOM has been pre-developed by Cisco)	0% (suppliers are pre-selected and the items are standardized)	100%

Note: Highly strategic projects are initiatives that significantly impact University's long-term objectives, competitive positioning, cost savings, or operational efficiency. These projects typically involve substantial investments, complex decision-making processes, and critical supplier relationships.

9. BID EVALUATION PROCESS / GUIDELINES

The Procurement Committee shall evaluate and score bids in line with the evaluation criteria set in the bid document.

9.1. Detailed Evaluation Process

Administrative Evaluation: The Procurement Committee shall initially verify that each bid meets the basic requirements and conditions set forth in the request for proposals (RFP) or invitation to bid (ITB). All noncompliant bids shall be eliminated. The Committee shall ensure that all necessary documentation (e.g., forms, licenses, certifications) is included.

No other evaluation criteria shall be introduced during bid evaluation.

Technical Evaluation: The Committee shall assess the technical aspects of each bid against the defined criteria. This may involve specific experts reviewing the proposals to ensure they meet technical specifications and project requirements.

The Committee shall seek to ascertain whether a given vendor is compliant and substantially responsive to the technical requirements. Failure of a bid at this evaluation stage shall prevent the vendor from being considered for financial/commercial evaluation. Compliance with the technical specifications shall be on a pass/fail basis.

Note:

*At any stage during the evaluation process for **complex purchases**, the Procurement Committee through its secretary may seek clarification from the vendor in writing, if deemed necessary for the appropriate assessment or scoring and correct ranking.*

Vendors may also be invited to make presentations related to their technical proposals if deemed necessary by the Procurement Committee or the Head of Department in line with the threshold provided in Annex 1. The records of the presentations shall be maintained by the Secretary of the Committee.

Financial Evaluation: The Committee shall analyze the pricing structures, total costs, and payment terms to ensure that the bids are within budget.

Only bids that have passed the technical evaluation shall be considered for financial/commercial evaluation.

Supplies:

In the case of supplies, the vendor with the lowest bid shall be recommended for contract award.

Non-consultancy services:

In regard to non-consultancy services, where merit points have been applied, the proposal with the lowest cost shall be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices. The total score shall be obtained by weighting the quality and cost scores and adding them. The supplier obtaining the highest total score (technical and financial) shall be recommended for contract award and invited for negotiations.

Consultancy Services

The proposal with the lowest cost shall be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices. The total score shall be obtained by weighting the quality and cost scores and adding them.

The supplier obtaining the highest total score (technical and financial) shall be recommended for contract award and invited for negotiations if deemed necessary.

In line with the Rwandan Laws, all financial bids shall be converted and evaluated in Local Currency unless a given vendor is authorized by the Central Bank of Rwanda to invoice in foreign currency.

Risk Assessment: The Committee shall evaluate potential risks associated with each bid. Consider factors such as the vendor's financial stability, past performance, and any potential challenges.

9.2. Scoring and Ranking

Score Each Bid: Using the weighted criteria defined in Section A, score each bid based on how well they meet the established criteria.

Following technical and financial analysis of a given bid, each member of the Procurement Committee shall individually score the proposals, and the results shall be submitted to the Secretary of the Committee who will prepare an evaluation report thereafter.

Rank Bids: Compare scores to rank the bids from highest to lowest based on their overall evaluations.

9.3. Tender Evaluation Report

After the evaluation is completed, the Procurement Committee secretary shall proceed to compile an evaluation report.

The report shall contain:

- a) Executive Summary explaining:
 - What is being recommended?
 - Why is it recommended?
 - What are the next steps?
- b) Background and context:
 - Describe the situation at the start of the project.
 - Highlight the main issues, concerns & challenges.
 - Explain the purpose, goals & objectives of the project.
- c) Supplier selection
 - Explain how the suppliers were called to submit their bids from Open Processes.
- d) Process and activities undertaken:
 - Explain the process undertaken.
 - Describe the team involved.
 - Outline the key steps & hurdles overcome.
- e) Summary of proposals:
 - Explain the scope of the competitive tendering exercise.
 - Summarize the key elements of the proposals considered.
- f) Costs and Benefits:
 - Summarize the costs and benefits of the chosen proposal.
- g) Recommendation:
 - Outline recommended approach and reasons.
- h) Next Steps:
 - Describe the next steps, including any outstanding contractual terms to be finalized.

The Secretary is responsible for consolidation of the scores and the combined final report.

10. CONTRACT AWARD

Negotiations: Upon approval / execution of the Tender Evaluation Report, where deemed necessary, the procurement committee shall invite the winning bidder for negotiations. The negotiating team shall be composed of members seconded by the Procurement Committee.

All terms of the offer are subject to negotiations except, terms that substantially change the technical quality or details of the requirements, including the scope, responsibilities of the bidder; or substantially alter anything which formed a crucial or deciding factor in the evaluation of the vendor.

Where negotiations are not successful with the winning bidder, negotiations can be considered with the second-best bidder.

Minutes of contract negotiation should be maintained and signed off each member of the negotiation team.

The outcome of the negotiation shall be approved by the Head of the Department, the Director of Procurement and Contracting and the DVC-AF.

The Director of Procurement and Contracting shall draft a contract for the procured services and submit the contract to the legal counsel for his review. The legal counsel may consult the Director of Procurement and contracting as well as the End User in the contracting process. Upon completion of the contracting process, the legal counsel shall submit the reviewed contract to the Director of Procurement and Contracting who shall consider any comments provided by the legal counsel before it is submitted to the DVC F&A for final approval and signature.

In principle, the UGHE shall sign and initial the contract before the vendor at all times.

Cancellation of Tender Process

The Procurement Committee tender may recommend cancelling bidding if:

- The goods or services are no longer required
- It is established that there was fraud and lack of transparency in bidding
- Bids have unacceptable reservations and conditions
- All bids are not responsive
- The lowest evaluated bid is unacceptably higher than the budget (contract cost estimates)

All communications from and to UGHE and suppliers shall be made in line with the Correspondence policy to avoid misrepresentation.

11. REQUEST FOR QUOTATIONS

Request for Quotation (RFQ) is a formal document used by University's to solicit price quotes from suppliers or vendors for specific goods or services. It typically outlines the requirements and specifications for the products or services needed, along with any relevant terms and conditions.

11.1. Conditions of use of RFQ.

The procurement team shall satisfy the following prior to using RFQ method of procurement:

- The cost of procured goods/ services is below RWF 20 million.
 - There is a list of pre-qualified vendors properly vetted and approved by the Procurement Team
 - Limited complexity or technical requirements for the procured goods or services.
 - Timeline for procurement is limited / short that it would be disadvantageous to the Department if the open bidding method is adopted.
 - Specifications are well defined and unambiguous.
- The procuring entity shall not split its tender into separate contracts.

Use of RFQ method of sourcing shall be approved by the End user and the Director of Procurement prior to implementation.

11.2. Preparation of the RFQ

All items and service sourced through RFQ shall be in line with the procurement plan. Similar to the Open bidding process, approved ToRs / Specification and requisitions shall be submitted through the E-procurement system.

The RFQ shall be prepared by a procurement officer in consultation with the End User. The RFQ shall have the following content:

- Background.
- Clear descriptions of the goods/services required
- Quantity and delivery requirements / timelines
- Pricing structure (e.g., unit prices, total cost)
- Payment terms
- Validity period of the quotation
- Any additional required documentation (e.g., warranties, compliance certificates)
- Submission deadline

Each bidder from whom a quotation is requested must be informed whether any elements other than the price, such as any applicable transportation and insurance charges, customs duties and taxes, are to be included in the price.

11.3. Identification of Bidders

Quotations delivered through telephone or verbal means are not acceptable.

The shortlisted bidders must be at least three (3) selected in a fair and non-discriminatory manner from a list of prequalified bidders.

The time limit given to the bidders in case of request for quotations is at least three working days.

An invitation to apply for inclusion on the prequalified list must be advertised, at least annually, in at least one newspaper/approved online website and UGHE website

11.4. Issuing of RFQ

The RFQ shall be issued by the Director of Procurement to the bidders identified in line with the process outlined in 3.1.2. (C). The RFQ shall be issued through the E-procurement system.

11.5. Submission of the Bids

All bids submitted by the identified bidders shall be submitted through the E-procurement system which will not be accessed by anyone before the scheduled date of opening.

11.6. Bid Opening.

The bid opening process shall be in line with clause 3.1.1.4. Only the procurement team and the head of Department shall participate in the bid opening for bids submitted through the RFQ procurement method.

11.7. Bid Evaluation / Analysis

The bid evaluation shall be conducted with the process described in 3.1.1.5. The procurement committee shall not participate in the bid evaluation. Only the Procurement Team and the Head of Department shall participate in the bid analysis following the appropriate criteria in 3.1.1.5. The procurement team together with the End User may invite an expert in a given domain to assist in bid evaluation.

The following shall be taken into consideration when evaluating proposal submitted through RFQ method:

- If this method is used, the procurement contract must be awarded to the bidder that submitted the lowest responsive priced quotation for the described quality that also meets the delivery period of the procuring entity.

11.8. Issuance of Local Purchasing Order (LPO)

The Head of Procurement shall issue LPOs below RWF 15M. An LPO will be issued upon the DVC's approval if above RWF 15M

12. RESTRICTED TENDERING / INVITATION TO BID

Restricted tendering is a procurement method used by University's to solicit bids from a select group of suppliers or contractors rather than opening the tender process to the general public. This approach is typically used in specific circumstances where it is beneficial to limit the number of participants.

12.1. Conditions for using Restricted Tendering

- The goods or services are available from a limited number of suppliers or contractors by reason of their highly complex or specialized nature or otherwise.
- The goods to be procured are within the approved thresholds.
- When there is limited time to obtaining the goods and services.

12.2. Approval to use Restricted Tendering Method.

The request to use the restricted method of tendering shall be prepared by the Procurement Manager and approved by the Director of procurement.

12.3. Selection of Bidders

The selected bidders shall be from a prequalified list in the UGHE database of suppliers. The Director of Procurement and the procurement committee shall determine which suppliers are invited to bid. The bidders to participate in the restricted tendering shall not be more than three (3) unless otherwise determined that the available suppliers on the market are less than 3.

The bidders shall be selected in a free and nondiscriminatory manner based on their past performance and experience among others.

- The restricted tendering is open only to bidders appearing on the invitation to bid.
- For a restricted tender, the time for bid preparation shall not be less than 14 calendar days for an international tender and seven (7) calendar days for a national tender.

12.4. Bid Invitation, Bid Opening, Bid Evaluation, Contract Award

The invitation to bid and bid submission shall be done through the E-procurement system. The bid opening process, bid evaluation, contract award process shall be in line with clauses, 3.1.1.5, 3.1.1.6 and 3.1.1.7 respectively.

13. SINGLE SOURCING METHOD OF PROCUREMENT

Single Source Selection is a procurement method where a university chooses to buy goods or services from a single supplier/consultant, rather than soliciting bids from multiple vendors without any competition.

The single source procurement method shall be discouraged to the greatest extent possible. Single sourcing may only be used in situations where the circumstances necessitating such urgency are neither foreseeable nor attributable to a monopolistic entity. In cases where single source procurement is deemed necessary, a written justification must be provided by End user and/or the Director of Procurement, ~~cleared by the Legal Counsel~~ (in case the value is below RWF 100M) to the DVC-AF for approval.

Justification for use of single source procurement method shall be approved by the ELT in case the value is above RWF 100M. Approval shall be documented and stored in the archives for future reference.

14. VENDOR DATABASE

UGHE shall keep a comprehensive collection of information related to all vendors engaged by the University, which may include but is not limited to vendor names, contact details, services provided, performance evaluations, and compliance documentation.

14.1. Maintenance of Vendor Database

The Procurement Manager shall be responsible for maintaining the Vendor Database and ensuring that all information is accurate, complete, and up to date. The Procurement Manager will conduct quarterly reviews of the database to verify the accuracy of vendor information.

14.2. Access to the Vendor Database

Access to the Vendor Database shall be limited to authorized personnel only. The authorized personnel include, members of the procurement team, Director of Finance, the DVC-FA, ELT, the Internal and External Auditors and any other officer authorized by the DVC-FA.

14.3. Adding Vendors to the Database

Adding a vendor to a database requires careful consideration of various factors to ensure that the vendor is legitimate, reliable, and meets the specific needs of the University. The Director of Procurement and Contracting shall add a vendor to the data base upon satisfying the following:

- a) **Credibility and background check:** The memo shall include a statement confirming a given vendor's good favorable reputation on the market, financial stability and confirmation from verified reference from existing clients.
- b) **Compliance with Legal Checks:** Confirmation of compliance with various legal checks such as certificate of incorporation, tax clearance certificate, regulatory licenses among others. Confirm appropriate insurance coverage where necessary.

Confirm availability of data controller and data processor licenses where required.

- c) **Implementation Capabilities:** Confirmation of the vendors' ability (resources) to meet the needs of UGHE. Confirmation of the quality of products / services through assessment of the vendors' samples.

14.4. Removal of Vendor from Database

The Director of Procurement and Contracting reserves the right to remove the vendor from the database upon their desertion.

15. TENDER SECURITIES

15.1. Bid Security

Bid security is a financial guarantee provided by a bidder to secure their bid submission and to ensure that they will enter into a contract if awarded.

The Head of Procurement shall determine the need for bid security in each tender. The bid security shall not exceed 2% of the projected amount of the bid should it be determined that the bid guarantee is required.

The wording of the bid security shall be reviewed and approved by the Legal Counsel. The bid security of the bidder who will have been awarded the contract shall be returned after the submission of the performance security, provided for in the bidding document.

The bid security is not required for the following tenders:

- tender for individual consultancy.
- tender awarded through single source method.
- any other tender whose value does not exceed FRW 100M

Note:

- For tenders which do not require a tender security, a bid securing declaration to abide by procurement proceedings is signed and submitted by the bidder in bid, following the standard form included in the tender document.
- For tenders of works, goods or supplies, consultancy services and non-consultancy services requiring a bid security, the procuring entity determines its form and amount. The amount of the bid security may be a percentage of the follows:
 - 2% of the value of the tender whose estimated budget is less than FRW 100,000,000.
 - from 1.5% to 2% of the value of the tender for tenders whose estimated budget is from FRW 100,000,000 to FRW 500,000, 000.
 - from 1% and 1.5 % of the value of the tender for tenders whose estimated budget is from FRW 500,000,000 to FRW 1,000,000,000.
 - from 0.1% to 1% of the value of the tender for tenders whose estimated budget is above FRW 1,000,000,000.
 - Submission of the bid security is done electronically between the e-procurement system and the internal electronic system of the institution issuing the security.
 - The security for a bid of a joint venture is submitted in the name of that joint venture.
 - If the bidder withdraws his or her bid after the deadline of bids submission while the bid validity period has not yet expired, the procuring entity seizes immediately the bid security he or she provided

15.2. Performance Guarantee

Within a period not exceeding fifteen (15) calendar days from the receipt of the notification of contract award, the successful bidder shall provide a performance security to UGHE equal to the amount specified in the bidding document, unless a special motivated derogation is granted.

Performance security shall not be mandatory for any tender with a value less than RWF 100 million. Such security shall be provided by a Local licensed bank or insurance in Rwanda. The wording of the guarantee shall be reviewed and approved by the Legal Counsel before execution.

UGHE reserves the right to seize the performance security to compensate for any loss resulting from the breach of contractual obligations by the successful bidder.

UGHE further reserves the right to retain an amount equivalent to the performance guarantee in the event the vendor chooses not to provide the guarantee. This should be included in the contract. The retained amount shall be reimbursed upon completion of the final approval of a given item or service / works.

UGHE shall release and return the performance security to the successful bidder no later than thirty (30) calendar days after the fulfillment of the successful bidder's obligations, including any security obligations, notwithstanding any provisions stated in the bidding document.

15.3. Performance Guarantee Amount

The amount of the performance security may be a percentage of the contract value as follows:

- 5% of the value of the contract whose value exceed FRW 500,000,000.
- 6% of the contract price whose value between FRW 100,000,000 FRW to FRW 500,000,000;
- 7% of the contract price whose value is between FRW 50,000,000 to FRW 100,000,000; 10% per cent of the contract price whose value is between FRW 20,000,000 to FRW 50,000,000.
- The performance security is not required for all tenders whose amount does not exceed FRW 20,000,000 and tenders for framework agreements when the purchase order value does not exceed FRW 20,000,000. However, the successful bidder will submit the performance securing declaration.
- For a framework agreement, the procuring entity requires the performance security per each purchase order exceeding FRW 50,000,000.

Other Conditions:

- For national tenders, the performance security shall be provided within 15 days from the submission date of the invitation letter to sign the contract.
- For international tenders, the performance security shall be provided within 21 days from the submission date of the invitation letter to sign the contract.
- The submission of a performance security shall be done both hard copies presented to the UGHE office and electronically between e-procurement and the internal electronic system of the institution issuing the security to the successful bidder, except for tenders awarded through non-electronic means.
- In case of procurement by simplified method, for national restricted tendering, the performance security shall be provided within five days from the sign the contract, while for international tenders, it is provided within eight days from the submission date of the invitation letter to sign the contract.
- The Tender document requires the performance security from a bank or any other authorized financial institution. When the performance security is issued from a foreign country, the bidder shall submit the issuer's proof of a corresponding bank in Rwanda.

- In case the contract is not fully or well executed, the performance security shall unconditionally be fully seized by the procuring entity as compensation without prejudice to other penalties provided for by the relevant laws.

15.4. Advance Payment Guarantee

In principle, all vendors are expected to finance a given project, service, or supply of goods using their own funds. However, in some cases, specifically for large procurements, vendors may request UGHE to provide an advance payment to allow them to commence implementation.

In such cases, the Vendor shall provide an Advance Payment Guarantee (APG) equal to the advance payment made to the vendor. It is hereby noted that the advance payment shall be used solely for the contracted purpose, and the Vendor shall provide a detailed account of how the advance payment is utilized. The decision to grant a given vendor an advance payment is made by the Director of Procurement and shall be included in the terms of the agreement. The advance payment shall not exceed 30% of the contractual fee.

UGHE shall only accept advance payment guarantees provided by a licensed bank in Rwanda. The wording of the APG shall be reviewed and cleared by the legal counsel before execution.

16. DEVIATIONS

Any deviation from the processes stipulated in this Standard Operating Procedure (SOP) shall first be reviewed by the Director of Procurement and Contracting. Following this, it must be cleared by the procurement committee, the DVC-AF before ELT final approval.

17. PERIODIC REVIEW

The Procurement Planning Standard Operating Procedure (SOP) shall undergo a comprehensive review every two (2) years to ensure its relevance, effectiveness, and compliance with applicable regulations and best practices. Additionally, this SOP may be subject to an unscheduled review whenever significant changes in legislation, University structure, operational practices, or technological advancements occur, or if performance assessments indicate the need for revisions.

The review process shall be initiated by the Procurement Team, reviewed by the Legal Counsel before it is submitted to the SMC for approval.

ANNEX III: STANDARD OPERATING PROCEDURES (SOP) FOR CONTRACT MANAGEMENT

1. INTRODUCTION

The purpose of this Standard Operating Procedure (SOP) for Contract Management is to establish a clear and consistent framework for the effective management of contracts within UGHE. This SOP aims to ensure that all contractual obligations are met, risks are minimized, and compliance with applicable laws and regulations is maintained throughout the contract lifecycle.

Effective contract management is essential for optimizing business operations, fostering positive relationships with stakeholders, and ensuring accountability. This SOP outlines the processes, roles, and responsibilities involved in contract initiation, negotiation, execution, monitoring, and renewal or termination. By adhering to these guidelines, UGHE seeks to enhance its operational efficiency, improve risk management, and achieve strategic objectives through well-managed contractual agreements.

All staff members involved in contract management at UGHE are expected to familiarize themselves with this SOP and follow the procedures outlined herein to ensure consistency and integrity in all contractual dealings.

1.1. Purpose of the SOP

The purpose of this Contract Management Standard Operating Procedure (SOP) is to establish a systematic framework for the effective and efficient management of contracts throughout their lifecycle. This SOP aims to:

- **Ensure Compliance:** Provide clear guidelines to ensure that all contracts are managed in accordance with applicable laws, regulations, and University policies.
- **Promote Consistency:** Standardize contract management processes across all departments and functions to ensure uniformity and consistency in handling contracts.
- **Enhance Accountability:** Define roles and responsibilities for contract management activities, thereby promoting accountability and transparency within the University.
- **Streamline Processes:** Facilitate streamlined processes for contract creation, execution, monitoring, and renewal to maximize efficiency and minimize risks associated with contract performance.
- **Risk Mitigation:** Identify and manage potential risks related to contractual obligations, ensuring timely responses to issues that may arise during the contract lifecycle.

By adhering to this SOP, the University will be able to achieve optimal contract performance, mitigate counterparty risk and contract minimize disputes.

1.2.Scope of the SOP

The scope of this Contract Management Standard Operating Procedure (SOP) encompasses the comprehensive processes involved in the initiation, execution, monitoring, and closure of contracts within the University. This SOP applies to procurement-based agreement and will not govern partnerships and MoUs among others.

The SOP shall cover development and approval of contract templates, negotiation of terms and conditions, compliance with legal and regulatory requirements, ongoing performance evaluation, risk management, and effective communication among stakeholders.

2. ROLES AND RESPONSIBILITIES

2.1.Procurement Team

The procurement team plays a vital role in contract management through the following key functions:

- **Contract Creation and Negotiation:** Participate in vendor selection, draft contracts, and negotiate terms with suppliers.
- **Due Diligence and Risk Assessment:** Evaluate potential suppliers for financial stability and risks, proposing mitigation strategies.
- **Approval Processes:** Facilitate internal reviews and secure necessary approvals from stakeholders.
- **Contract Execution:** Coordinate contract signing and manage document storage for accessibility.
- **Performance Monitoring:** Through the contract manager, the procurement team will track supplier performance against contract terms and conduct regular review meetings.
- **Communication and Relationship Management:** Serve as the main contact between the University and suppliers, resolving disputes as they arise.
- **Amendments and Renewals:** Manage requests for contract changes and oversee the renewal process before expiration.
- **Compliance and Auditing:** Ensure contracts comply with relevant regulations and participate in internal audits.
- **Documentation and Record Keeping:** Maintain comprehensive records of contracts and performance, generating reports for management.

2.2.Legal Counsel

- **Advisory Role:** Provides legal guidance and risk assessment regarding contract terms and compliance with laws.
- **Contract Drafting and Review:** Prepares complex contracts, develop standard contract templates and reviews contracts prepared by the procurement team to ensure legal integrity and operational alignment within 3-5 working days based on the complexity of the agreement.
- **Negotiation Support:** when required, assists in negotiations, offering legal insights to secure favorable terms while minimizing risks.

- **Compliance Monitoring:** Ensures contracts adhere to regulations and University’s policies.
- **Dispute Resolution:** Offers strategic advice for managing disputes and facilitates alternative resolution methods.

2.3. End User

The role of an end user in Contract Management SOP includes the following key responsibilities:

- **Understanding Contracts:** Participate in review and ensure comprehension of contract terms and conditions. The End User advises on the technical clauses of the contract.
- **Monitoring Compliance:** Track deliverables against contractual obligations and address compliance issues promptly.
- **Risk Management:** Identify potential risks related to contract execution and guide management on mitigation strategies.
- **Performance Evaluation:** Assess vendor performance and gather feedback to identify areas for improvement.

3. CONTRACT LIFECYCLE PHASES

3.1. Contract Drafting

3.1.1. **Template Development:** All contract templates must be developed by the Legal Counsel’s office or designated authorized personnel. Suggestions for new templates may be submitted by other departments through a formal request to the Legal Counsel’s office. Each template developed shall comply with the applicable laws and regulations. The template must comply with UGHE internal policies. The templates shall also comply with UGHE’s branding and language guidelines.

3.1.2. **Review and Approval of Templates:** All new templates or significant amendments to existing templates must undergo a review process. The Legal Counsel will ensure that the content is legally sound and that all relevant stakeholders have approved the template.

Template Usage

3.1.3. **Mandatory Use:** All stakeholders shall use the approved template when drafting procurement contracts. Deviation from the approved template shall require prior approval from the legal counsel.

3.1.4. **Customization:** While templates provide a standardized format, customization of certain sections is permitted to address the specific needs of each contract, provided that such modifications do not conflict with the core legal provisions and University policies.

3.2.Maintenance and Review of Templates

3.2.1. Periodic Review: Templates must be reviewed at least annually to ensure they remain relevant, compliant, and effective. The Legal Counsel is responsible for this review.

3.2.2. Feedback Mechanism: Stakeholders are encouraged to provide feedback on the templates to ensure continuous improvement. Feedback should be submitted to the Legal Counsel and will be considered during the periodic review.

Upon approval of the evaluation report, the Procurement Manager shall customize the relevant contract template and circulate it among the stakeholders i.e., the End User, and the Legal Counsel before DVC-AF signs it.

The process of review of the standard contract shall not take more than 48hours from the date Procurement Manager sent out the template for review.

The process of review of the complex contracts shall not take more than 5 working days from the date Procurement Manager sent out the template for review.

The process of review of the infrastructure contracts shall not take more than 5 working days from the date Procurement Manager sent out the template for review.

Note: *Templates shall not be used for complex contracts like construction contracts beyond RWF 100million. The legal counsel will draft such contracts which shall be reviewed by the relevant stakeholders before sharing with a given vendor or consultant.*

4. USE OF FRAMEWORK AGREEMENTS:

A framework agreement shall be utilized when the University anticipates a need for goods, services, or works over a specified period, but the exact quantities and delivery schedules cannot be established at the outset. This procurement approach allows for flexibility and efficiency in responding to varying demands.

4.1.Conditions for Use of Framework Agreements

- **Uncertain Demand:** There is a need to procure goods, services, or works where the full extent of requirements is not known at the start of the contract period.
- **Repeated Purchases:** The procurement involves repetitive purchasing patterns expected over a defined time frame.

Framework Contracts will be awarded for an initial period of one year, with the option for two renewals. To clarify, the total duration of a Framework Contract with the same supplier shall not exceed three (3) years with the exception of Butaro based suppliers under the community engagement program.

5. NEGOTIATIONS

Upon approval / execution of the Tender Evaluation Report and were deemed necessary, the procurement committee shall invite the winning bidder for negotiations. The negotiating team shall be formed in line with the provisions of the terms of reference of the Procurement Committee.

All terms of the offer are subject to negotiations except, terms that substantially change the technical quality or details of the requirements, including the scope, responsibilities of the bidder; or substantially alter anything which formed a crucial or deciding factor in the evaluation of the vendor.

Where negotiations are not successful with the winning bidder, negotiations can be considered with the second-best bidder.

Minutes of contract negotiation should be maintained and signed off each member of the negotiation team.

The outcome of the negotiation shall be approved by the Head of the Department and the DVC-AF.

Notes:

- The vendors shall be availed with the draft contract for review prior to signature.
- The objective of the negotiation should be to obtain the most favorable terms for UGHE.
- Amendment of the standard clause of the template of the contract shall be approved by the legal counsel.

6. EXECUTION OF CONTRACTS

6.1.1. **Authority to Execute Contracts:** Only the DVC-AF is authorized or their delegated person signatories on may execute contracts on behalf of the University. The contracts and correspondence to vendors shall be executed in line with the Policy on signing of official correspondence, agreements and use of the University's seal.

6.1.2. **Review of Contract Prior to Execution:** Before execution, all contracts must be reviewed for compliance with legal and regulatory requirements, alignment with University policies, and completeness of terms.

The Contract shall be prepared by the Procurement Manager and shared with the End User, and the Legal Counsel for review in the aforementioned order.

6.1.3. **Final Review:** Upon completion of contractual negotiations, the contract must undergo a final review by the Legal Counsel and the DVC-AF.

6.1.4. **Signature:** The DVC-AF shall sign the contract. Electronic signatures may be used in accordance with UGHE's signature policy and relevant legal standards.

6.1.5. **Date of Execution:** The execution date must be clearly indicated on the contract next to the signatures.

7. DISTRIBUTION OF EXECUTED CONTRACT

The University shall always execute the contract before the vendor at all times. The fully executed agreement shall be scanned and returned to the Procurement Office for filing.

8. PERFORMANCE MANAGEMENT

8.1. Performance Criteria

In principle, the vendor performance will be evaluated based on the following criteria:

- **Quality of Goods/Services:** Consistency and suitability of the products or services provided.
- **Timeliness:** Adherence to agreed delivery schedules and timelines.
- **Responsiveness:** Ability to respond promptly to inquiries, issues, and feedback.
- **Compliance:** Adherence to contractual obligations, regulatory requirements, and industry standards.
- **Cost Management:** Management of project costs in alignment with contractual budgets.

8.2. Performance Management of Delivery of Goods

Supervision by End Users

The end user holds primary responsibility for the supervision of goods contracts. This includes:

- Monitoring delivery schedules to ensure that goods are received as per the agreed timelines.
- Conducting thorough inspections of delivered goods to verify that they meet the specifications outlined in the contract.
- Reporting any discrepancies, damages, or issues with the goods to the Procurement Department.

The End User and the Warehouse team shall co-sign a Delivery Note stating that the contracted goods have indeed been delivered in the form specified the contract. The Delivery Note is annexed to this Manual (ANNEX V).

The Procurement Team through the Contract Manager shall track delivery schedules for all purchases, ensuring that goods are dispatched, delivered and collected in line with the predetermined dates and the terms of the agreement.

The Procurement Team through the Contract Manager shall assist in processing of procurement documents to facilitate efficient payment and compliance with contractual obligations.

8.3. Inspection of Goods

Upon receipt of goods, the end user will carry out inspections to confirm that the products received align with the specifications outlined in the contract. This includes checking for quantity, quality, and any other relevant criteria.

If issues are identified during the inspection, the end user must report these to the Procurement Team immediately for resolution. The Warehouse Team and End User shall independently submit a report rejecting goods that do not conform to the contracted specifications. The Contract Manager shall then communicate the noncompliance to the vendor in writing.

8.4. Payment Processing

The End User is responsible for initiating payment processes for delivered goods. Collaboration with the Procurement Team is vital to ensure all conditions of the contract have been met before processing payments.

The Procurement Function will assist in validating invoices against delivered goods to verify their accuracy before approval.

9. PERFORMANCE MANAGEMENT OF SUPPLY OF WORKS

The management of works contracts is often intricate due to unforeseen circumstances that may arise throughout the project lifecycle. To ensure successful execution, the Infrastructure Department plays a critical role in the daily oversight and administration of these contracts.

9.1.Key Responsibilities of the Infrastructure Department:

- **Daily Control and Supervision:** The Infrastructure Department is responsible for the consistent monitoring and supervision of all works contracts, ensuring quality and adherence to timelines.
- **Communication and Reporting:** It is imperative that all relevant departments and stakeholders are regularly updated on both progress and challenges encountered during the project's execution. This is achieved through routine reporting, which facilitates informed decision-making and collaboration.
- **Payment Procedures:** Payments for works contracts are typically based on the completion of specific tasks or milestones, contingent upon the approval of the supervising engineer or project manager. This ensures that financial disbursements are aligned with the actual work completed.
- **Materials Management:** Any materials that have been delivered to the site but remain unused will not be included in the measurement of works for payment certification purposes. This policy safeguards the integrity of the payment process and ensures that payments reflect only the work executed.
- **Final Completion and Certification:** The Infrastructure Department is responsible for supervising and approving the takeover of completed buildings and construction works. Before final payments can be processed, a certificate of completion must be verified by this department, confirming that the work has been finished to the required standards.

9.2.Consultancy Services Contract Management

Responsibility Overview:

- The End User or end user shall monitor routine service contract e.g., office cleaning, transport, security, maintenance etc. and coordinate consultancy services.
- The procurement team through the contract manager shall collaborate with the end user in managing the contracts and responding to performance issues.
- The end user shall schedule quarterly review meetings with the consultant to evaluate the progress of deliverables, discuss performance against agreed metrics, and address any challenges.
- All communications, meeting notes, and performance reports must be documented and maintained in a centralized contract management system for transparency and accountability.

The User department shall:

- Monitor the activity and performance in accordance with the contract to ensure that levels of service are maintained and that deliverables are submitted or completed on time. For consultancy services, the contract may specify key reports to be submitted, or timesheets and routine reports to be submitted on a monthly or quarterly basis.
- Ensure that all contractual obligations of UGHE are performed promptly and efficiently.
- Ensure that all deliverables (and especially reports) are reviewed immediately and responded to in writing where necessary.
- Contact the service provider to identify the causes of any failings in performance or failure to meet targets.
- Report to the Procurement Department any breach by the service provider of his contractual obligations.

10. CONSEQUENCES OF NONPERFORMANCE / CONTRACTUAL BREACH

Nonperformance occurs when a vendor fails to fulfill its obligations as defined in the contract. This may include, but is not limited to, failure to deliver goods or services on time, failure to comply with quality standards, or any other breach of contract provisions.

In the event of nonperformance by the vendor, the following consequences may be enforced:

- a) Right to Cure:** The Vendor shall be granted the opportunity to cure the nonperformance within 14 days. If the vendor rectifies the issue within this timeframe, no further action shall be taken.
- b) Termination of Contract:** If the nonperformance remains unaddressed after the opportunity to cure has elapsed, the UGHE may terminate the contract. A written notice of termination shall be provided, effective immediately or as specified in the contract.
- c) Removal from vendor database:** The DVC-AF based on the advice of the Procurement Director reserves the right to remove the vendor from the database in case a vendor continues to breach the contract.
- d) Suspension from participation in UGHE tenders:** Vendors who breach the UGHE contract shall be suspended from the participation in public tenders published by UGHE. Such vendors shall be blacklisted for at least 5 years.

11. DEVIATIONS

Any deviation from the processes stipulated in this Standard Operating Procedure (SOP) shall first be reviewed by the Procurement Team. Following this, it must be cleared by the DVC- AF before ELT final approval.

12. PERIODIC REVIEW

The Procurement Planning Standard Operating Procedure (SOP) shall undergo a comprehensive review every two (2) years to ensure its relevance, effectiveness, and compliance with applicable regulations and best practices. Additionally, this SOP may be subject to an unscheduled review

whenever significant changes in legislation, University structure, operational practices, or technological advancements occur, or if performance assessments indicate the need for revisions.

The review process shall be initiated by the Procurement Team or End User, reviewed by the Legal Counsel before it is submitted to the SMC for approval.

ANNEX IV: PROCUREMENT REVIEW THRESHOLD AND APPLICABLE PROCUREMENT METHODS

The thresholds for the committee members shall be as follows

Procurement Method	Situation under which the method shall be used	Threshold (RWF)
Open Competitive Bidding	For both national and international Competitive Bidding Shall be the method of procurement by default/preferred method	50 Million and above
Restricted Bidding	For procurement of items available only from a limited number of suppliers or service providers; If the time and cost required to examine and evaluate many bids would be disproportionate to the value of products The rest refer to the conditions for using required method	Value below 50 Million
Request for Quotation or Proposal	when goods/services are readily available on the local market when the goods/services are of the standard specification The rest refer to the conditions for using required method,	499,999 to 49,999,999 Million
Single sourcing	Refer to conditions of single source referred to	No threshold imposed
Direct Purchasing	Goods/services/works and below of the small amount Readily available on the Local Market Urgent and unplanned need	1 to 99,999 Direct purchasing without LPO 100,000 to 499,999 Direct Purchasing with LPO


Timeline for advertisement per procurement method

Procurement Method	Tender Documents Preparation (days)	No of Minimum days for advertisement	Evaluation and Recommendation(days)
Request for Expression of Interest – National	5	14	7
Request for Expression of Interest – International	5	21	10
Request for Proposals - National	5	14	10
Request for Proposals - International	5	21	10
International Competitive Bidding (ICB)	10	30	10
National Competitive Bidding (NCB)	7	20	10
Restricted Tendering (International)	5	14	19
Restricted Tendering (National)	5	7	5
Request for Quotation	3	3	3

Thresholds and approvals

Threshold	Tender Document Review	Evaluation	Review	Approve
0 – 14.99 Million	Procurement Department	Procurement Department	Procurement Department	Procurement Director
15 – 49.99 Million	Procurement Department	Procurement Department	Procurement Committee	DVC -AF
50 – 299.99 Mil	Procurement Department	Procurement Committee	Procurement Committee	DVC -AF
300 Million and above	Procurement Committee	Procurement Committee	DVC AF	ELT

ANNEX V: DELIVERY NOTE

 <p>UNIVERSITY OF Global Health EQUITY</p>	<h3>UGHE CAMPUS OPERATIONS</h3>					
DELIVERY NOTE (DN)		DN NO:				
FACILITY NAME: University of Global Health Equity	SECTOR/DISTRICT: BUTARO, BURER	COUNTRY: RWANDA				
REQUESTED BY (DEPARTMENT):						
No	Product description	Unit	Quantity delivered	Product number	Expiration date	Comments
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
Prepared by:						
Position:						(Date)
Reviewed by:						
Position:						(Date)
Transported by:						
Position:						(Date)
Received by:						
Position:						(Date)