



Republic of Liberia
Public Procurement & Concessions Commission

Executive Mansion Grounds, Capitol Hill, Monrovia, Liberia



Website: www.ppcc.gov.lr | Email: info@ppcc.gov.lr | Phone Short Code: 4357

Ref. **PPCC/RL/CEO/1578/'20**

October 20, 2020

Hon. D. Maxwell Saah Kemayah, Sr.

MINISTER

Ministry of Foreign Affairs
Monrovia, Liberia

Dear Hon. Kemayah:

Subject: **PPCC'S RESPONSE: REQUEST FOR "NO OBJECTION TO USE THE SINGLE SOURCE METHOD OF PROCUREMENT TO PURCHASE ONE (1) VEHICLE."**

We present our compliments and wish to acknowledge receipt of your letter which sought the approval of the Commission for the Ministry of Foreign Affairs (MoFA) to use the Sole Source method of procurement to purchase one (1) unit of Toyota Land Cruiser 200 series (VX Petro 4X4 SUV) from United Motor Company at a cost of eighty-eight thousand United States Dollars (**US\$ 88,000.00**).

The Commission upon a careful review of the Ministry of Foreign Affairs' request, observed the following:

- a. That stating choice preference is not a ground for the usage of Single Source method of procurement. Additionally, end user deciding choice of any goods specificity contravenes Section 34 (2) of the PPCA;
- b. That the price of **US\$88,000.00** quoted by United Motor Company is **US\$23,000.00** more than the estimated cost of the vehicle of **US\$65,000.00** captured in the entity's Non SBA Core Budget Procurement Plan;
- c. That the MoFA did not provide evidence indicating that a Schedule of Requirements was sent to United Motors Company, consistent with Section 56 of the PPCA.

The Commission, noting the above, and upon further scrutiny of the MoFA's request and accompanying documents, states the following:

- That the Commission advises the use of the Restricted Bidding method as earlier planned, with a reduction in lead time of at-least one (1) week, for the preparation and submission of bids, to facilitate the swift purchase of the vehicle, given the expressed emergency by the MoFA;

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



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- That the MoFA is requested to kindly furnish the Commission with historical information (i.e. date of purchase and years of usage) of the vehicle used by the Former Minister of Foreign Affairs.

The Ministry of Foreign Affairs is to promptly execute the advisory for the Commission's expeditious review.

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

Kind regards.

Yours sincerely,


Jorgbe Roseline Nagbe Kowo (Atty.)
CHIEF EXECUTIVE OFFICER



REPUBLIC OF LIBERIA
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA

RL/MFA/2-3c/02/'20

September 10, 2020

Dear Hon. Chief Executive Officer:

Received
Dennis Taylor
Oct. 13, 2020
Time: 16:33

Re: Request for No Objection

I present my compliments and have the honour to inform you that the Ministry of Foreign Affairs consistent with section 55(1) (d) of the Public Procurement and Concessions Act of 2010 as amended and restated which states:

“(d) in cases of extreme urgency, provided that the circumstances which gave rise to the urgency were neither foreseeable by the Procuring Entity nor the result of dilatory conduct on its part”

As such, the Ministry is pleased to request a “*No Objection*” for the employment of the **Single Source Method (i.e. SS)** for the Procurement contract package as considered in its 2020/2021 Core Procurement Plan as specified below and submitted earlier to the Public Procurement and Concessions Commission.

- Name of Contract Package: **Supply of Vehicle**
- Contract Package Code: **IFB NO. MFA/RB/003/20/21**

This request for no objection stemmed from the below statement of facts and reasons:

a) The Ministry had earlier submitted the procurement plan with the concern contract package with consideration of the Restricted Bidding Procurement Method (i.e. RB) but could not embark upon the advertisement due to the fact that, the previous Minister resigned and the choice of the current Minister or end-user could not be derived to facilitate the finalization of the tender document for issuance of same to the anticipated bidders since the end-user was not known.

b) Given the fact that the end-user is now known, and that the choice of the end-user tailors to the specifications of the concerned goods was recently established on Monday, October 5, 2020, and that the need for the vehicle is now urgent on grounds that the newly appointed and confirmed Minister is without an official vehicle, a shift from the earlier procurement method (i.e. RB) to the new procurement method (i.e. SS) has been seen as the obvious alternative to bridge the gap of the existing need.

Hence, given the above reasons for which the Ministry could not embark upon the employment of the earlier procurement method (i.e. RB), the Ministry has seen it best suited to employ the **Single Source Procurement Method** for the aforementioned procurement contract package (i.e. Supply of Vehicle) on grounds that the need is pressing and the situation was never anticipated, nor was it as the result of a dilatory conduct as considered in the procurement legal framework section [i.e. **PPCA section 55(1)(d)**] which the Ministry has regarded as a reliance for action within the context of the existing need.

More besides, please be informed that the Ministry will without doubt consider the updating of its core procurement plan to reflect the necessary changes.

Attached is the invoice as has been acquired by the ministry from the concerned vendor.

With Kind regards,

Henry B. Fahnbulleh
Acting Minister of Foreign Affairs

Hon. Jargbe Roseline Nagbe Kowo (Atty.)
Chief Executive Officer
Public Procurement and Concession Commission (RL)
Executive Mansion Grounds, Capitol Hill
Monrovia, Liberia