

**REPUBLIC OF KENYA**



**THE NATIONAL TREASURY AND PLANNING  
STATE DEPARTMENT FOR PLANNING**

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When replying please quote

Office of the Principal Secretary  
Treasury Building  
P.O. Box 30005-00100  
NAIROBI

**REF: TNTP/SDP/12/11**

**6<sup>th</sup> May 2021**

**Director General**  
Kenya National Bureau of Statistics  
**NAIROBI**

**Director General**  
National Coordination Agency  
for Population Development  
**NAIROBI**

✓ **Executive Director**  
Kenya Institute of Public Policy  
and Research Analysis  
**NAIROBI**

**Chief Executive Officer**  
NEPAD/APRM  
**NAIROBI**

**Director General**  
Vision 2030 Delivery Secretariat  
**NAIROBI**

**Chief Executive Officer**  
National Government- CDF  
**NAIROBI**

**Secretary**  
NESC  
**NAIROBI**

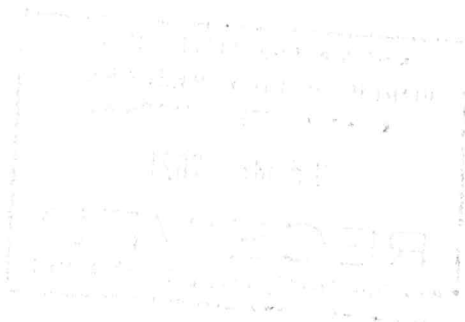
**RE: 1. MANDATORY REPORTING REQUIREMENT FOR PROCURING ENTITIES  
2. ISSUANCE OF STANDARD TENDER DOCUMENTS & FORMATS ALIGNED  
TO THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, 2015 AND  
ITS ATTENDANT REGULATIONS**

Enclosed find letters Ref: PPRA/6/5 VOL.1 (17) dated 27<sup>th</sup> April, 2021 and PPRA/6/5 VOL.1 (83) dated 28<sup>th</sup> April, 2021 from Director General PPRA for your attention and compliance.



**D. M. Mutua**  
**For: PRINCIPAL SECRETARY**

Encl.



**Ref: PPRA/6/5 VOL. 1(17)**

**The Principal Secretary**  
State Department for Planning  
The National Treasury and Planning  
Treasury Building  
**NAIROBI**

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

The Public Procurement and Asset Disposal Act, 2015 came in force by 7<sup>th</sup> January, 2016 (the Act). In order to fully operationalize the Act, the National Treasury issued the Public Procurement and Asset Disposal Regulations, 2020 (the Regulations) on 2<sup>nd</sup> July, 2020. The Act gives effect to Article 227 of the Constitution of Kenya, 2010 which provides that public procurement should be conducted in a system that is fair, equitable, transparent, competitive and cost-effective.

The Act and its attendant Regulations seek to enhance efficiency, accountability and transparency as key pillars in streamlining the public procurement processes undertaken by the procuring entities which is achieved through publishing and provision of timely, accurate information and data to the stakeholders and general public. In that regard, various provisions of the Act and Regulations require procuring entities to submit reports on public procurement and asset disposal transactions to the Public Procurement Regulatory Authority (the Authority).

To ensure that all procuring entities comply with the statutory provisions on preparation and publication of mandatory reports; the Authority has prepared reporting templates to be used by procuring entities while submitting the reports as required by the Act and the Regulations. The reporting templates are disseminated via **PPRA CIRCULAR NO. 01/2021** of 22<sup>nd</sup> April, 2021

The circular and the reporting templates are hereby attached for your attention and compliance. We request that you bring the contents of the circular and the reporting templates to the attention of all Officers working in your Ministry, departments, including Heads of State Corporations, Semi-Autonomous Government Agencies (SAGAs) and other institutions, under your Ministry.

  
**H.K Kirungu**  
**For: DIRECTOR GENERAL**  
**Encl.**

**PPRA CIRCULAR NO. 01/2021**

All Principal Secretaries and Accounting Officers, Ministries and State Departments  
The Clerk of the Senate  
The Clerk of the National Assembly  
The Chief Registrar, The Judiciary  
All Commission Secretaries, Constitutional Commissions  
All County Executive Committee Member for Finance  
All Accounting Officers, County Departments  
All Clerks, County Assemblies  
All CEOs, State Corporations and SAGAs  
All Vice Chancellors, Public Universities  
All Ambassadors/High Commissioners, Kenya Diplomatic Missions  
All Managing Directors, Public Water Companies  
All Principals, Public Colleges, Polytechnics, Technical Training Institutes, Primary & Secondary Schools  
All Trust Secretaries, Pension Funds for Public Entities  
All Regional National Government Coordinators  
All County Commissioners, County Service Delivery Coordination Units  
All Fund Account Managers, National Government Constituency Development Funds  
All County Coordinators, National Government Affirmative Action Funds  
All Managers, City Boards and Municipalities  
Heads of All Other Public Institutions

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

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The Public Procurement and Asset Disposal Act, 2015 (herein referred to as ‘the Act’) came into effect on 7<sup>th</sup> January, 2016. In order to fully operationalize the Act, the National Treasury issued the Public Procurement and Asset Disposal Regulations, 2020 (herein referred to as ‘the Regulations’) on 2<sup>nd</sup> July, 2020. The Act gives effect to Article 227 of the Constitution of Kenya, 2010 which provides that public procurement should be conducted in a system that is fair, equitable, transparent, competitive and cost-effective.

The Act and the attendant Regulations seek to enhance efficiency, accountability and transparency as key pillars in streamlining the public procurement processes. Various provisions of the Act and Regulations require procuring entities to submit reports on public procurement and asset disposal transactions to the Public Procurement Regulatory Authority (herein referred to as ‘the Authority’), as well as publish the information through the prescribed channels for access by the stakeholders. The Authority has noted with concern that despite the requirements of the Act and Regulations on mandatory reporting and the directives contained in the Executive Order No. 2 of 2018 and PPRA Circular No. 1/2016 on Mandatory Reporting Requirements for Procuring Entities, most procuring entities have failed to submit the reports and to publish details of the required information as directed.

It is imperative to note that failure to submit mandatory reports and to publish the same information in the Public Procurement Information Portal (PPIP) amounts to non-compliance and therefore an offence pursuant to Section 176(m) of the Act.

The Authority brings to the attention of all Procuring Entities the various reports to be submitted under the Act and the Regulations; and to be published in the PPIP, as prescribed in the Executive Order No. 2 of 2018 on *Procurement of Public Goods, Works and Services by Public Entities*. The types and timelines for submission of the various mandatory reports are as indicated in the table below:

No.	Report Type/Name	Frequency of Submission	Submission timeline	Enabling Provision in the Act & the Regulations
<b>A. Reports on General Procurement Transactions</b>				
(a)	Terminations of Procurement and Asset Disposal Proceedings	As and when done	within 14 days of termination	Sec 63(2) & (3) and Regulation 48(2)
(b)	Direct procurements of a value exceeding Kshs. 500,000/=.	As and when used	within 14 days after notification of award	Regulation 90(1)(c)
(c)	Disposal of public asset(s) to employees.	As and when done	Within 30 days of the disposal	Regulation 202(4)
(d)	All <b>signed</b> contracts awarded through all procurement methods <b>Note: There is no minimum threshold on value.</b>	Monthly	Within 14 days after the end of every month	Sec. 138 (2) and Regulation 131(1)(b)
(e)	Contract Amendment/Variation	Quarterly	Within 14 days after close of the quarter	Sec. 139(5)
(f)	Report on seeking approval for use of Alternative Selection Method for Consultancy services	As and when PE intends to use any of the alternative selection methods	Prior to use of the alternative selection method	Sec. 124(15) and Regulation 129(2)
(g)	Terminations of Contracts	Quarterly	Within 14 days after close of the quarter	Regulation 141(6)
<b>B. Report on Preferences and Reservation scheme</b>				
(h)	Report on all contract awards where Preferences and Reservation schemes are applied with disaggregated data.	Quarterly	Within 14 days after close of the quarter	Sec. 158(3) and Regulation 161

No.	Report Type/Name	Frequency of Submission	Submission timeline	Enabling Provision in the Act & the Regulations
	<b>Note:</b> A copy of the report to be submitted to the National Treasury.			
(i)	Six (6) Months report on Preferences and Reservation of contracts awarded to Youth, Women and Persons with Disability.  <b>Note:</b> A copy of the report to be submitted to the National Treasury.	Every six (6) months/Half-year period of the financial year (i.e July-Dec & Jan-June)	Within 14 days after close of the half of the Financial Year (i.e. by January 14 <sup>th</sup> and July 14 <sup>th</sup> respectively).	Sec157 (12)& (13) and Regulation 161
(j)	Part of Annual Procurement Plan demonstrating application of the Preference and reservation schemes	Annually	Within sixty (60) days after commencement of the Financial Year i.e by 31 <sup>st</sup> August.	Sec. 44(2)(I) & 158(2)
<b>C. Executive Order No. 2 of 2018 - Procurement of Public Goods, Works and Services by Public Entities</b>				
(k)	Publication of tender opportunities and contract awards in the Public Procurement Information Portal (PRIP).	Monthly	By 15 <sup>th</sup> day of every subsequent month	Executive Order No. 2 of 2018; Head of Public Service Circular Ref No. OP/CAB 39/1A of 28 <sup>th</sup> June, 2018;  National Treasury Circular Ref. NT/PPD.1/2/02Vol (93) of 24 <sup>th</sup> August, 2018 and Treasury Circular No. 22/2020 of 1 <sup>st</sup> October, 2020.

In order to ensure uniformity of reporting, Accounting Officers are required to submit the stated reports to the Authority in accordance with the timelines prescribed in the Act and the Regulations, and in the formats issued by the Authority. A summary of the required reports including the reporting formats/templates are accessible from the Authority's website [www.ppra.go.ke](http://www.ppra.go.ke).

The County Government (Executives) Departments should prepare their reports and submit to the County Treasury for consolidation and submission to the Authority in accordance with Section 33 of the Act and Regulation 20 of the Regulations. In this regard, the Authority will receive a consolidated report from every County Treasury. The County Assemblies' reports should be submitted to the Authority by the Clerk to the Assembly.

Each report should be submitted in soft copy (in excel format) through the email address [reports@ppra.go.ke](mailto:reports@ppra.go.ke). The report(s) should be accompanied by a scanned copy of the cover letter duly signed by the Authorized Officer.

The Authority is at advanced stages of enhancing the PPIP by developing new modules to accommodate submission of all the mandatory reports through the platform **once the upgraded Portal is rolled out.**

Please note that this Circular supersedes all previous circulars issued on mandatory reporting requirements. Please bring the contents of this circular to the attention of all officers involved in the Public Procurement and Disposal System within your jurisdiction for compliance.



**Pauline Opiyo (Ms.)**  
**Ag. DIRECTOR GENERAL**

**Copy to: Dr. Joseph K. Kinyua, EGH**  
Head of Public Service  
Office of the President  
Harambee Avenue  
**NAIROBI**

**Mr. Nzioka Waita**  
Chief of Staff and Head of President's Delivery Unit  
Office of the President  
Harambee Avenue  
**NAIROBI**

**Hon. Justice (Rtd.) Paul Kihara Kariuki, EGH**  
Attorney General  
Office of Attorney General  
and Department of Justice  
**NAIROBI**

**Dr. Julius Muia, EBS**  
Principal Secretary  
The National Treasury  
The National Treasury and Planning  
Treasury Building  
**NAIROBI**

**Nancy Gathungu**  
Auditor General  
Office of the Auditor General  
Anniversary Towers  
**NAIROBI**

**Jacqueline Mogeni (Mrs)**  
Chief Executive Officer  
Council of Governors  
Delta Corner House, Off Waiyaki Way  
**NAIROBI**

Ref: PPRA/6/5 VOL. 1(83)

28<sup>th</sup> April, 2021

**The Principal Secretary**  
State Department for Planning  
The National Treasury and Planning  
Treasury Building  
**NAIROBI**

*all*



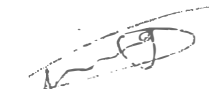
**RE: ISSUANCE OF STANDARD TENDER DOCUMENTS & FORMATS ALIGNED TO THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, 2015 AND ITS ATTENDANT REGULATIONS**

The Public Procurement and Asset Disposal Act, 2015 came in force by 7<sup>th</sup> January, 2016 (the Act). In order to fully operationalize the Act, the National Treasury issued the Public Procurement and Asset Disposal Regulations, 2020 (herein referred to as 'the Regulations') on 2<sup>nd</sup> July, 2020. The Act gives effect to Article 227 of the Constitution of Kenya, 2010 which provides that public procurement should be conducted in a system that is fair, equitable, transparent, competitive and cost-effective.

Sections 9(1)(f), 58 and 70 of the Act vests the responsibility of developing and issuing of standard bid/tender documents and formats to the Public Procurement Regulatory Authority (the Authority). To this end, the Authority with technical support from GIZ has reviewed, updated and developed new Standard Tender Documents (STDs) and Formats in consideration of changes in the Act, the Regulations and international best practices.

Pursuant to Sections 58(1) and 70(1) of the Act it is mandatory for all procuring entities use the standard bid/tender documents and formats in their procurement and asset disposal activities. In that regard, the Authority brings to the attention of the procuring entities the use of the new standard bid/tender documents and formats via **PPRA CIRCULAR NO. 02/2021** of 22<sup>nd</sup> April, 2021.

The circular is hereby attached for your attention and compliance. We request that you bring the contents of the circular to the attention of all Officers working in your Ministry, departments, including Heads of State Corporations, Semi-Autonomous Government Agencies (SAGAs) and other institutions, under your Ministry.



**H.K Kirungu**  
**For: DIRECTOR GENERAL**

**Encl.**



**PPRA CIRCULAR NO. 02/2021**

**All Principal Secretaries and Accounting Officers, Ministries and State Departments**

**The Clerk of the Senate**

**The Clerk of the National Assembly**

**The Chief Registrar, The Judiciary**

**All Commission Secretaries, Constitutional Commissions**

**All County Executive Committee Members for Finance**

**All Accounting Officers, County Departments**

**All Clerks, County Assemblies**

**All CEOs, State Corporations and SAGAs**

**All Vice Chancellors, Public Universities**

**All Ambassadors/High Commissioners, Kenya Diplomatic Missions**

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**All Principals, Public Colleges, Polytechnics, Technical Training Institutes, Primary & Secondary Schools**

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**All Regional National Government Coordinators**

**All County Commissioners, County Service Delivery Coordination Units**

**All Fund Account Managers, National Government Constituency Development Funds**

**All County Coordinators, National Government Affirmative Action Funds**

**All Managers, City Boards and Municipalities**

**Heads of All Other Public Institutions**

**RE: ISSUANCE OF STANDARD TENDER DOCUMENTS & FORMATS ALIGNED TO THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, 2015 AND ITS ATTENDANT REGULATIONS**

The Public Procurement and Asset Disposal Act, 2015 (the Act) came into effect on January, 7<sup>th</sup> 2016. In order to fully operationalize the Act, the National Treasury issued the Public Procurement and Asset Disposal Regulations, 2020 on 2<sup>nd</sup> July 2020. The Act gives effect to Article 227 of the Constitution which provides that public procurement should be conducted in a system that is fair, equitable, transparent, competitive and cost-effective.

Sections 9(1)(f), 58 and 70 of the Act vests the responsibility of developing and issuing of standard bid/tender documents and formats to the Public Procurement Regulatory Authority (the Authority). To this end, the Authority with technical support from GIZ has reviewed, updated and developed new Standard Tender Documents (STDs) and Formats in consideration of changes in the Act, the Regulations and international best practices.

The process of development of standard bid/tender documents and formats incorporated views/input of public entities, suppliers, members of the public, professional bodies/ associations, non-state actors and other interested stakeholders in line with Article 10 of the Constitution on National Values and Principles of Governance. In addition, the Authority subjected the standard bid/tender documents and formats to validation by key stakeholders drawn from different sectors.

The Authority published the standard bid/tender documents and formats on 12<sup>th</sup> April, 2021 and the same can be accessed from the Authority's website [www.ppra.go.ke](http://www.ppra.go.ke) or through the link <http://ppra.go.ke/standard-tender-documents/> for use by the procuring entities and other stakeholders. Note that pursuant to Sections 58(1) and 70(1) of the Act ***it is mandatory for all procuring entities commencing new procurement and asset disposal activities after the date of this circular to use the new standard bid/tender documents and formats.***

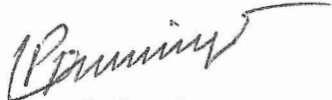
The Standard Tender Documents and Formats issued are listed as follows: -

1. Doc 1. STD for Procurement of Works (Building and Associated Civil Engineering Works)
2. Doc 2. STD for Procurement of Works of Works (Roads, Water Bridges, Etc.)
3. Doc 3. STD for Procurement of Small Works
4. Doc 4. STD for Procurement of Goods
5. Doc 5. STD for Request for Proposal for Selection of Consulting Firms
6. Doc 6. STD for Preparing Framework Agreements
7. Doc 7. STD for Procurement of Non-Consulting Services
8. Doc 8. STD for Disposal
9. Doc 9. STD for Procurement of Insurance Services
10. Doc 10. STD for Procurement of Information Technology
11. Doc 11. STD for Procurement of Maintenance Services
12. Doc 12. STD for Procurement of Design and Build (Turnkey) Contracts
13. Doc 13. STD for Procurement of Supply and Installation of Plant and equipment
14. Doc 14. STD for Procurement of Specialised Goods – Text Books and Reading Materials
15. Doc 15. STD for Procurement of Specialised Goods – Health Sector Goods (Pharmaceuticals, Vaccines and Condoms)
16. Doc 16. STD for Prequalification Document for Procurement of Works and Supply of Goods Contracts
17. Doc 17. STD for Procurement of Management Services
18. Doc 18. STD for Leasing
19. Doc 19. STD for Procurement of Performance-Based Contracts (Road Maintenance Works)
20. Doc 20. STD for Purchase of Immovable Assets & Property
21. Doc 21. STD For Request for Quotations
22. Doc 22. STD Proposal Evaluation Report for Procurement of Goods and Works
23. Doc 23. STD for Proposal Evaluation Report for Selection of Consultants

The Authority welcomes any feedback from users of the documents that may be useful towards improving the structure and contents of the STDs and formats. Stakeholders can share their comments/feedback through: -

- (a) Tel:(+254) 020-3244000 / 020-2213106/7
- (b) Email: *info@ppra.go.ke; feedback@ppra.go.ke*
- (c) Letter to be addressed to the Director General

Kindly bring the contents of this circular to the attention of all officers involved in public procurement and asset disposal activities within your jurisdiction as an Accounting Officer and ensure compliance. Please note that this Circular supersedes all previous circulars issued by the Authority on standard tender documents and formats.



**Pauline Opiyo (Ms.)**  
**Ag. DIRECTOR GENERAL**

**Copy to:** **Dr. Joseph K. Kinyua, EGH**  
Head of Public Service  
Office of the President  
Harambee Avenue  
**NAIROBI**

**Mr. Nzioka Waita**  
Chief of Staff and Head of President's Delivery Unit  
Office of the President  
Harambee Avenue  
**NAIROBI**

**Hon. Justice (Rtd.) Paul Kihara Kariuki, EGH**  
Attorney General  
Office of Attorney General  
and Department of Justice  
**NAIROBI**

**Dr. Julius Muia, EBS**  
Principal Secretary  
The National Treasury  
The National Treasury and Planning  
**NAIROBI**

**Nancy Gathungu**  
Auditor General  
Office of the Auditor General  
Anniversary Towers  
**NAIROBI**

**Jacqueline Mogeni (Mrs)**  
Chief Executive Officer  
Council of Governors  
Delta Corner House, Off Waiyaki Way  
**NAIROBI**