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PART ONE

1.0 GENERAL PURPOSE, SCOPE AND RESPONSIBILITY

1.1 GENERAL

The Independent National Electoral Commission (INEC) procures goods and services through competitive solicitations in accordance with the due process policy of the Federal Government of Nigeria.

1.2 PURPOSE

This manual defines the policies and procedures for determining, contracting and monitoring the acquisition, by purchase or lease, of goods, works and/or non-personnel services by the Independent National Electoral Commission.

1.3 SCOPE

The manual governs the procurement of all goods, works, services including consulting services to be acquired on behalf of INEC, and the standards of conduct for all the Commission's staff involved in the procurement processes in compliance with the Commission's policy of transparency and accountability. This is supported by the Treasury Circular No. A5 & B5/2001 of 30th October 2001 on Due Process Certification of contracts and the Finance Circular Ref. No. F.15775 of 27th June, 2001 on new Policy Guidelines on Procurement and Award of Contracts in Government Ministries/Parastatals, and the internal financial policies of the Commission.

1.4 RESPONSIBILITY

The Department of General Administration and Procurement and the relevant committees of the Commission have the functional responsibility of initiating policies, procedures and standards subject to the Commission's approval designed to ensure compliance with best practices on procurement and contracting methods and to develop, maintain and implement the Commission's procurement system.

The Department will ensure that the Commission receives the best value for money in terms of price, suitability for use, environmental efficiency, maintenance provisions, operating costs, guarantees, delivery and installation, and payment terms.

These shall be achieved by applying the highest level of ethical standards for fair and equitable treatment of suppliers providing goods, works and services to the Commission.

PART TWO

2.0 PROCEDURE FOR INITIATING PROCUREMENT PROJECTS.

2.1 PROCUREMENT

Procurement covers all activities involved in the formulation, evaluation and application of extant rules and policies, procedures and practices to facilitate/carry out the acquisition of goods, works and services for the Commission.

These goods, works and services to be acquired may be categorized into Capital and Recurrent Expenditure under the Federal Government of Nigeria Budgeting System which is adopted by the Commission.

2.2 PROCUREMENT INITIATION

The Secretary in consultation with the relevant Directors/HODs is responsible for the initiation and certification of all procurement requirements of the Commission for the adoption and approval of the Commission.

The General Administration and Procurement Department will collate, price and submit the approved procurement requirement for incorporation into the budget of the Commission.

2.3 STANDING COMMITTEES

- i The Commission's standing committees of the Project Executing Department/Directorate shall, based on the input of the Department under its supervision, review and consider procurement proposals of capital expenditure above N5m and recurrent expenditure above N10m and recommend to the Commission's Tenders Board for evaluation, and either to award or recommend contract for award as well as monitor the stages of project execution.
- ii The standing committees shall co-opt the project user department/directorate, the Resident Electoral Commissioner of the State where the project is being executed (where necessary) and the General Administration and Procurement Department (to ensure compliance with due process) for this purpose.

- iii The relevant standing committees shall consult widely to ensure that the proposed spatial or technical specification requirements meet the needs envisaged by the Commission. The committee shall monitor the implementation of the project from its inception to the end of defect liability period.

- iv The relevant Committees of the Commission shall be responsible for preparing the briefs for submission to the Commission. The Committee shall certify to the Commission that the projects' total cost based on the briefs will not exceed the approved capital cost limit; and

- v. The Finance and General Purpose Committee is responsible for arranging Capital Projects in order of priority and submitting them to the Commission for funding.

PART THREE

3.0 PROCEDURE FOR TENDERING AND AWARD OF CONTRACTS

3.1 EXTANT RULES

The procedure for Tendering and Award of Contracts in the Commission is governed by the Treasury Circular No. A5 & B5/2001 of 30th October 2001 on Due Process Certification of contracts and Finance Circular Ref. No. F.15775 of 27th June, 2001 on new Policy Guidelines on Procurement and Award of Contract in Government Ministries/Parastatals, and the internal financial policies of the Commission.

3.2 CERTIFICATION OF PROJECT READINESS FOR IMPLEMENTATION

The first stage in the contract award process is the certification of the project readiness for implementation which is based on the following checklist

- i. Evidence of Alignment of project with FGN strategic sectoral priorities.
- ii. Technical and financial appraisal of the project.
- iii. Project cost and Consultant/Engineers estimates.
- iv. Project Designs.
- v. Financing, Procurement and Implementation plans.
- vi. Environmental Impact Assessment Report.
- vii. Operations and maintenance manual.
- viii. Evidence of appropriate packaging.

3.3 TENDERING AND AWARD OF CONTRACTS

The Commission shall establish a framework for an open and competitive tendering processing in accordance with Circular Reference No. F.15775 of 27th June 2001.

3.4 TENDER PROCESS

For all contracts to be considered, a memorandum should be presented by the executing Department or Unit to the appropriate authority as provided in this manual. The memorandum should contain the following information as applicable in order to enable the approving authority to make an informed decision:

- (i) Title of the memorandum;
- (ii) Purpose of the memorandum;

- (iii) Evidence that all aspects of internal preparation for implementation readiness has been completed; principally:
 - (a) Project dossier containing summary details on project objectives and scope;
 - (b) Specification of all items of works;
 - (c) Bill of quantities;
 - (d) Project Design;
 - (e) Schedule of basic rates, where relevant;
- (iv) Implementation schedule and execution period;
- (v) Responsibility for supervision and how capacity building is being addressed for sustainable Operations and Management (O&M);
- (vi) Cost of the project and financial provision available from previous allocations and current budget;
- (vii) Terms of payment to be used.

3.5 ADVERTISEMENT FOR AWARD OF CONTRACTS

When the Commission is satisfied that a project is ready for contract award process, the Commission will authorize the advertisement of the Pre-Qualification for the contract. For contracts above ₦1 million but below ₦10 million, notices for pre-qualification must be placed on the Notice Board of the Commission. In the case of contracts above ₦10 million, advertisement must be placed in the Federal Tender Journal and/or in at least two national newspapers for *"Invitation for Pre-Qualification"*. The submission period shall be two weeks from the date of first advertisement and all prequalification documents must be submitted at a time and location to be specified. The Invitation for Pre-qualification should include the following:

- i. Name and address of the processing agency;
- ii. A brief description of the objective and technical specification of the project;
- iii. The qualification and category of the contractors expected to tender;

- iv. The Invitation for Pre-qualification Reference Number - this will eventually become the Contract Number;
- v. The date by which documents must be returned. (A minimum of 2 weeks should be allowed for submission);
- vi. The place and time for pre-qualification document return. (An addressed label should be used for this purpose);
- vii. The contact details of the Procurement staff member responsible for the invitation for Pre-qualification;
- viii. Details of the procurement for dealing with queries during the pre-qualification period; and Pre-qualification Evaluation Criteria.

3.6 PRE-QUALIFICATION OF CONTRACTORS

A Pre-qualification document shall be issued to all firms that responded to the advertisement or notice. All the responses to the advertisement shall be subjected to a pre-qualification process. The Pre-qualification scrutiny should determine the technical, managerial and financial capacity as well as confirm their previous experiences in performing similar projects and ultimately their suitability as prospective bidders *for* the project. There should be standardization *of* all specifications in order to ensure that a common denominator is used to determine pre-qualification *of* all respondents.

There should be a Pre-qualification Evaluation Committee made up *of* professionals. The Secretary to Tenders Board shall be the Secretary *of* the Committee, while a representative of BMPIU would monitor compliance with Due Process guidelines. Where necessary, pre-bid meetings could be organized with prospective contractors in order to clarify any points or issues in the bidding documents. Bids cannot be allowed to be altered after submission.

3.7 INVITATION TO BID

After consideration of the report of the Pre-qualification Evaluation Committee, all the qualified contractors should be issued with the Bid Document to enable them bid for the contract. A maximum period of 6 weeks from the date of Invitation to Bid shall be allowed for the submission of completed bids.

Bid evaluation criteria should be clearly defined in the bidding document. Award of all contracts should be based on the criteria so defined.

3.8 BID OPENING AND FINANCIAL EVALUATION

The following guidelines should be used for bid opening and financial evaluation:

- (i) Opening of tender must be done in public at a designated date and time. The opening should immediately follow the closing of the bidding period to minimize the risks of bid tampering. The bidders or their representatives should be invited and members of civil society or the press should be encouraged to attend;
- (ii) The tender that offers the lowest price/best evaluated bid shall be awarded the contract.
- (iii) There should be a committee made up of professionals for the evaluation of bids. The project executing Department/Directorate provides a Secretary of the Committee. Members of the Evaluation Committee, Tenders Board and Approving Authorities should be obliged to declare any conflict of interest and exclude themselves from bid evaluation and approval process.
- (iv) The award of all major contracts of ~~N~~50million and above should be published in Federal Tender Journal and/or two national dailies with description of the contract, name of contractor, and the contract price clearly stated.

3.9 CONTRACT AGREEMENT

There shall be a provision in the contract agreement stipulating that any contract which is not covered by a Due Process Certification shall be null and void.

3.10 BID SECURITY

All contracts estimated to cost N10million and above should attract a Bid Security in all amount of not less than 2% of bid price in the form of a Bank Guarantee issued by reputable Banks.

3.11 PERFORMANCE BANK GUARANTEE

Performance Bank Guarantee in an amount of 10% of contract sum should be obtained for all contracts in the sum of N10 million and above.

3.12 MOBILIZATION FEE

Mobilization fee, where necessary and appropriate shall not exceed 25% of the contract sum for non-electoral contracts and 50% for electoral contracts. However, payment of such mobilization fee shall be effected upon written application and an unconditional Bank Guarantee for mobilization fee above N5m or insurance bond for mobilization amount up to N5m valid until the Goods are supplied or until the mobilization fee has been repaid in the case of works contracts. Only Unconditional Bank Guarantee or Insurance Bond issued by a reputable Bank or an Insurance Company respectively should be accepted.

3.13 TRANSMISSION OF THE COMMISSION DUE PROCESS CERTIFICATE (CDPC) TO THE ACCOUNTANT-GENERAL OF THE FEDERATION

As soon as the process for award of contract up to ~~N~~50million has been concluded, and the award of the contract has been approved, the contract award certificate shall be issued by the Commission's Resident Due Process Team (RDPT) and the certificate shall be forwarded to the Accountant-General of the Federation for clearance of payment of mobilization fee from the Capital Account at the Central Bank of Nigeria.

3.14 GUIDELINES FOR STAGES OF WORKS COMPLETION CERTIFICATION

(a) Once a project is initiated, as characterized by the down payment, all further payments after mobilization fees shall be conditional upon the certification by the Resident Due Process Team that satisfactory progress is being made toward completion *of* the work. To this end, the Project Manager/Consultant is required to submit a technical and financial progress report to enable the Resident Due Process Team effectively evaluate the value for the money to be released (see appendix). Moreover, the Project Manager/Consultant must notify the Resident Due Process Team about the certification schedules for each project in order to minimize over-all administrative demands *of* the certification process. Each capital project shall not have more than four (4) work valuation certificates including the completion certificate. The full mobilization fee already paid shall be recovered enbloc from the first *of* the four certificates.

- (b) The basis *of* each certification shall be that:
 - (i) Funds released earlier have been fully utilized;
 - (ii) Site visit has been carried out to assess progress of work on contract;
 - (iii) Contract work is being carried out as agreed in the contract;
 - (iv) Percentage *of* work completed is commensurate with funds spent;
 - (v) Anticipated project results are being achieved or if not, appropriate measures have been taken to ensure that results and goals identified under the contract are fully achieved.

3.15 FINALIZATION OF INTERNAL DUE PROCESS

The Commission's Resident Due Process Team shall mandatorily submit the records *of* aggregate certificates issued in the preceding month to the BMPIU for the procedural oversight with the necessary reports, facts and information to enable the BMPIU complete the due process cycle for each capital project.

3.16 CERTIFICATION SCHEDULE FOR PROJECT ABOVE THE FIFTY MILLION NAIRA THRESHOLD:

- (a) *Requirements before Award of each contract:*

For capital projects and payments above the ~~N~~50 Million threshold, the Budget Monitoring and Price Intelligence (BMPI) Unit retains sole certification mandate. Consequently, before the submission *of* any memorandum to the Commission for the award of any contract above fifty million (~~N~~50 million) naira, it is mandatory to obtain Due Process Certificate from the BMPI Unit in the Presidency. The guidelines *for* contract award certification under this threshold are as follows:

- (i) Tender documents have been prepared in line with Federal Government guidelines;
- (ii) Tender process and selection have been carried out as per guidelines;
- (iii) Lowest/best evaluated bidder determined to be qualified to perform the contract satisfactorily was recommended for the award of the contract;

- (iv) The Commission has approved the selection or good reasons for change in recommendation have been provided;
- (v) The selected contractor can still do the job at the time of contract award;
- (vi) Contract price is comparable with local, national, regional or international experience as may be appropriate;
- (vii) It has been verified that successful bidder continues to meet pre-qualification requirements; and
- (viii) Appropriate performance security has been indicated.

The procedure *for* certification shall be that the Commission shall notify the BMPIU when it plans to commence the contract award process *for* contracts above *N50* million threshold. BMPIU expert(s) shall monitor the procurement process from the point of advertisement, pre-qualification, invitation to bid and selection of successful bidder. The certification by BMPIU shall be based on satisfactory adherence to all aspects of the procurement guidelines by the Commission. A Due Process Contract Award Certificate shall then be issued to the Office of the Accountant-General of the Federation through the Federal Ministry of Finance to make funds available for project execution.

(b) Guidelines for Stages of Work Completion Certification

After the payment of mobilization *fee*, all further payments are conditional upon the certification by the Commission in conjunction with BMPIU that satisfactory progress is being made toward completion of the work. To this end, the Commission shall prepare and submit to the BMPIU a technical and financial progress report with advice on possible modifications, cost implications and timing for completion to enable the BMPIU effectively evaluate value-for-money to be released.

The certification by BMPIU requires that the Commission shall notify the BMPIU about certification schedules for each project in order to minimize over-all administrative demands of the certification process. Each capital project shall not have more than five aggregate certificates. The basis of certification under this threshold shall be that:

- (i) Funds released earlier have been fully utilized;
- (ii) Site visit has been carried out to assess progress of work on contract;
- (iii) Contract work is being carried out as contained in the contract agreement;
- (iv) Percentage of work completed is commensurate with fund spent;
- (v) Anticipated project results are being achieved or if not, appropriate measures have been taken to ensure that results and goals identified under the contract are fully achieved.

3.17 TENDER SPLITTING:

It shall be regarded as a serious offence for any officer of the Commission to deliberately split contracts of works, purchases, procurement or services in order to circumvent any approving authority as stated in part 4 of this manual.

3.18. EXCEPTION CLAUSE:

The Chairman shall exercise the power of anticipatory approval to approve for award of major contracts of any amount during peak periods of major electoral activities to cover needs of urgent nature, upon the recommendation of the relevant standing committees of the Commission.

However, the Chairman of the Commission that recommends the contract will as soon as possible present a memo to the Commission for ratification of the approval

3.19 PROCUREMENT PLAN

The General Admin and Procurement Department in consultation with other Departments/Directorates shall prepare quarterly procurement plans subject to the Finance and General Purpose Committee (FGPC) approval to determine the requirement of funds for the Commission at different quarters during the fiscal year. Such plans should spell out the timing for different procurement actions and hence, the funding requirements at different stages. Release of funds should be on the basis of realistic, approved and updated procurement plans.

3.20 SERVICE OF INTERNATIONAL AGENTS

The Commission shall obtain the services of International Procurement Agents of the highest repute to assist in medium and large scale contracting where necessary.

3.21. REGISTRATION OF CONTRACTORS/SUPPLIERS

The Commission shall maintain a register of all eligible contractors/suppliers within the Commission.

3.22 AUDIT INSPECTION

The Commission shall ensure that certified true copies of all contract agreements are forwarded to the Office of the Auditor-General for the Federation or its representatives. In addition, minutes of the Commission and Commission's Tenders Board meetings and full records of all the tendering processes must be kept and made available for inspection by the Office of the Auditor-General for the Federation and the Accountant-General of the Federation on request. Such records shall be kept for a period of Seven (7) years from the date of completion and take over of the project.

PART FOUR

4.0 AUTHORITY LIMIT AND DUE PROCESS REQUIREMENT FOR AWARD OF CONTRACTS

S/N	Expenditure level	Approving Authority	Due Process Requirements
4.1	Contract of works, services and purchases up to ₦500,000	Secretary to the Commission on the recommendation of Directors/HODs. The Secretary shall provide a monthly report of all approved expenditure under this level to the Chairman.	At least three relevant quotations should be obtained from suitably qualified contractors/suppliers
4.2	<p>i. Capital Project of above ₦ 500,000 up to ₦ 5,000,000</p> <p>ii. Recurrent Expenditure Contract of above ₦ 500,000 up to ₦ 10,000,000</p>	<p>Chairman of the Commission on the recommendation of the Chairman of the relevant committee or Secretary to the Commission.</p> <p>Chairman of the Commission on the recommendation of the Chairman of the relevant Committees or Secretary to the Commission</p>	<p>At least three relevant written quotations obtained from suitably qualified contractors, suppliers for contract value up to ₦ 1 million.</p> <p>Invitation of eligible contactors/suppliers to bid on the Commission's notice board for contract above ₦1million up to ₦10million. (Post qualification)</p>

S/N	Expenditure level	Approving Authority	Due Process Requirements
4.3	<p>i. Capital Project of above ₦ 5,000,000 up to ₦ 20,000,000</p> <p>ii. Recurrent Expenditure Contract of above ₦10,000,000 up to ₦20,000,000</p>	The Commission Tenders Board (CTB) headed by a National Commissioner, on the recommendation of the relevant Standing Committees of the Commission. The decisions of the CTB shall be confirmed by the Hon. Chairman of the Commission.	All contracts above ₦ 10 million should be advertised in the Federal Tender Journal and/or at least in two national dailies. The subsequent stages of the due process shall be complied with as outlined in part three of this manual. These include certification by the Commission's Resident Due Process Team (RDPT) and Budget Monitoring and Price Intelligent Unit (BMPIU) of the Presidency as applicable.
4.4	<p>i. Capital Projects of above ₦ 20,000,000</p> <p>ii. Recurrent Expenditure Contract of above ₦20,000,000</p>	The Commission on the recommendation of the Commission's Tenders Board shall approve and award all contracts above ₦ 20million.	For Capital Projects and Payments above ₦ 50million threshold, in addition to the due process requirement for open and competitive tendering, the Budget Monitoring and Price Intelligent Unit (BMPIU) retains sole certification mandate.
4.5	Anticipatory approving power	The Chairman shall exercise the power of anticipatory approval to approve for award of major contracts of any amount during peak periods of major electoral activities to cover needs of urgent nature on the recommendation of the Chairman of the relevant Committee. However, the Chairman of the Commission will as soon as possible present a memo to the Commission for ratification of the approval	All contracts above ₦ 10 million should be advertised in the Federal Tender Journal and/or at least in two national dailies. The subsequent stages of the due process shall be complied with as outlined in part three of this manual. These include certification by the Commission's Resident Due Process Team (RDPT) and Budget Monitoring and Price Intelligent Unit (BMPIU) of the Presidency as applicable.

PART FIVE

5.0 ADMINISTRATION OF CONTRACTS ON CAPITAL PROJECTS

5.1 CONTRACTORS REGISTRY

There shall be a Contractors' Registry under the Tenders' Board Secretariat to register all contractors who have expressed interest to be engaged by the Commission for all contracts of works, services and purchases.

5.2 REGISTER OF CONTRACTORS

The register of contractors shall contain

- The name and address of contractors
- The classes/categories of contract which the contract is eligible to execute.
- The nature of the business of the contractor.
- The CAC registration of business and certificate of incorporation (Ref. no. of the company or firm.)
- The share capital of the company for Limited Liability Company.
- The validity period of the contractors registration.
- The reference no. of professional licenses, membership certificate of professional association and other accreditations obtained.
- Vat Registration certificate number
- Name and particulars of at least two Directors of the company.
- Names and addresses of the Principal Partners of the firm for professional practice firms and enterprises firm.

5.3 APPLICATION FOR REGISTRATION FORM

All Contractors wishing to register with INEC shall complete the form in Appendix II of this manual.

5.4 CLASSES / CATEGORIES OF CONTRACT REGISTRATION FEES AND RENEWAL FEES

The Commission have for the purpose of registration of contractors adopted the following classes/categories of contracts and registration fees as well as Annual Renewal fees payable.

S/No	Nature of Works	Value	Registration Fee (₦)	Annual Renewal Fees (₦)	Remarks
A.	All Forms of Services		7,000.00	1,500.00	Firms run by licensed professionals
B.	Supplies (with exception of electrical materials)	B1 not exceeding ₦1m	2,500.00	1,000.00	Business enterprise and limited liability company.
		B2 not exceeding ₦5m	5,000.00	1,500.00	
C.	All major construction and Civil Engineering construction contracts	C1 not exceeding ₦10m	7,000.000	2,000.00	Only limited liability company with share capital which commensurate with value of contract
		C2 not exceeding ₦25m	10,000.00	2,500.00	
		C3 not exceeding ₦50m	12,000.00	3,500.00	
		C4 above ₦50m	20,000.00	5,000.00	
D.	All forms of Electrical / Mechanical Engineering contracts including associated supplies	D1 not exceeding ₦10m	7,000.000	2,000.00	Only limited liability company with share capital which commensurate with value of contract.
		D2 not exceeding ₦25m	10,000.00	2,500.00	
		D3 not exceeding ₦50m	12,000.00	3,500.00	
		D4 above ₦50m	25,000.00	5,500.00	

5.5 ADMISSION INTO VARIOUS CATEGORIES, CLASSES OF CONTRACT EXECUTION

The Registration of contractors into various categories / classes of contracts shall take into account the legal form of Business, whether it is an enterprise or limited liability company; and if limited liability company, the share capital of the company. For professional firms, the reputation of the principal partners of the firm would be considered.

5.6 NOTIFICATION OF CONTRACTS

The contractor to whom a contract is awarded shall be notified immediately by the Secretary to the Commission;

5.7 REGISTER OF CONTRACTS

The Secretary shall maintain a register of contracts on capital projects and record therein the particulars of every contract. The register should be kept secured and will be subject to audit examination. For every capital project, there should be recorded:

- (i) the contract number;
- (ii) the nature of the contract with details of the work to be performed or the services to be rendered;
- (iii) the contract sum;
- (iv) the duration or time allowed for completion;
- (v) the names and address of the contractors;
- (vi) the names and address of the consultants;
- (vi) the basis on which payments are to be made to the contractor;
- (vii) the basis on which payments are to be made to the consultants;
- (viii) the contract payments schedules
- (ix) the date of completion of the contract;
- (x) 5 per cent of the total contract sum shall be held as Retention Fee.

5.8 CONTRACTS PROGRESS REPORT

The user Director of the Commission shall arrange to submit monthly progress report on the contract to the appropriate Committee. The Committee shall submit progress report to the Commission.

5.9 THE PROJECT CONSULTANTS

It shall be the responsibility of the Consultant Architect/Consultant Engineers to arrange site meetings and to cause the records of the meetings to be kept. The Director of Works shall ensure that site meetings are held at least once a month and that copies of their records are sent to the Secretary to the Commission.

5.10 CERTIFICATION OF COMPLETION

The user Director shall if satisfied that the works have been completed so that the building/projects may be occupied or used for the purpose intended without any restriction, obstruction or other hindrance caused or to be caused by the contractor issue a Certificate of Completion. The period of maintenance shall commence from the date the Certificate of Completion is issued; and

5.11 PERIOD OF DEFECT LIABILITY

The period of defects liability shall be at least six months from the date of the Certificate of Completion or such longer period as the contract may specify. During the period, the contractor shall be responsible for finishing all outstanding works (if any), putting right all defective works. At the end of the maintenance period and provided all necessary maintenance works have been satisfactorily carried out, the user Director will issue a Release Certificate before the retention money is paid.

PART SIX

6.0 FINANCIAL PROCEDURE RELATING TO TENDERS

6.1 FINANCIAL PROVISION

The Secretary to the Commission shall cause necessary financial provision to be made for capital projects approved by the Commission or by a competent authority on behalf of the Commission. All payments must be made within the terms of the written contract;

6.2 BASIS OF PAYMENT

- i. No payment may be made in respect of a verbal contract;
- ii. Fees payable to Consultants will not be more than the approved Federal Government scales fees in force at the time;
- iii. Interim payment against a contract must not exceed the value of the work done and the goods supplied to date, and, will be made only against interim certificates authenticated by the user Director for the approval of payment by the Chairman;
- iv. On all contracts (where applicable) a pre-determined percentage of the value of contract sum shall be retained by the Commission for a specific period of not less than six months from the date of taking over the completed work;
- v. Before the final payment or retention money is released, the user Director will certify that the contract has been satisfactorily completed, that all Interim payments have been deducted, and that all defects have been satisfactorily rectified;

6.3 ABANDONED OR MODIFIED PROJECTS

Where a project is abandoned or modified for good cause after Consultants have been commissioned, fees payable to consultants for work actually performed will be subject to negotiation by a panel appointed by the Commission.

6.4 INSURANCE

Where under the terms of the contract, the Contractor must insure the works and all materials and goods brought on to site against any loss or damage, no payments will be made to the contractor unless the Secretary is satisfied that the insurance is with a reputable insurance company acceptable to the Commission and that the insurance policy is in the joint names of the Commission and the Contractor;

6.5 VARIATION OF CONTRACTS

- i. Variation of contract sum shall not normally be considered. However, in special circumstances, variations may be recommended by the Tenders Board.
- ii. Where the terms of the contract permit adjustment in costs of materials and labour or where there is substantial fluctuations in costs, the user appropriate Committee may recommend payments for consideration and approval by the Commission; and

6.6 PREPAYMENT AUDIT

All certificates and payments on contract shall be subject to audit examination. The Internal Auditors shall promptly report any irregularities to the Secretary.

Appendix I

INDEPENDENT NATIONAL ELECTORAL COMMISSION

FORMAT FOR REQUESTS FOR STAGES OF WORK COMPLETION CERTIFICATE

A. Project Name:.....

B. Contractor:.....

C. Contract Sum:.....

D. Budget Appropriation:.....

E. Financial Progress

1. Total Value of Schedule Item	-	₱	:	K
2. General Item	-	₱	:	K
3. Total Value of works as at	-	₱	:	K
4. Advance Granted	-	₱	:	K
5. Advance Deducted	-	₱	:	K
6. Total Expenditure Certified to date	-	₱	:	K
7. Percentage Completion Expenditure	-	₱	:	K
8. Actual Payment to date	-	₱	:	K
9. Outstanding Payments (Certificates)	-	₱	:	K

F. Financial Progress

1. Completion	-	%
2. Completion of all works	-	%
3. Time Lapsed	-	%

Compliance with this format by the Commission will help facilitate and expedite the certification process.

Appendix II

INDEPENDENT NATIONAL ELECTORAL COMMISSION APPLICATION FOR REGISTRATION AS A CONTRACTOR TO THE COMMISSION

PART A

The Secretary
Independent National Electoral Commission (INEC)
Plot 436
Zambezi Crescent
Maitama District
F.C.T.
P.M.B. 0184
Garki-Abuja



Sir,

I/We wish to apply to be registered as a Contractor(s) for your Commission in the category indicated herein. Attached hereto is the photocopy of the receipt No _____ dated _____ for ₦ _____ issued by the Commission for the non-refundable registration fee for Category _____

I/We hereby declare that the information given herein is true and correct. I/We agree that any false information given will lead to my/our disqualification or subsequent cancellation of any contract awarded to me/us at the full discretion of the Commission.

I/We agree that registration with the Commission does not in any way guarantee the registered contractor any form of work from the Commission.

This application is accompanied by:

1. Reference letter from my/our Bank
2. Photocopy of Certificate of Incorporation
3. C.V. of my/our key personnel (where applicable)
4. Photocopy of Tax Clearance Certificate for 3 years preceding the application
5. An endorsed photograph of principal/key signatory to the company

6. Memorandum and Articles of Association

Particulars of applicant(s):

1. Name of applicant/Company:.....
.....
2. Are you doing business as an individual?
.....
3. If so give your detailed names and addresses
(P.O. Box, P.M.B not acceptable).
.....
.....
.....
4. Are you doing business as a firm or company?.....
5. If so, give the full name and registered address of your firm/company
(P.O. Box, P.M.B not acceptable).
.....
.....
.....
6. Give full address of the branches of the company, if any
.....
7. Is the firm/company registered?.....
.....
(Photocopy of certificates of registration to be attached).

8. How long have you been in this business?.....
.....

9. (i) Are you registered as a contractor to any other organization(s)
.....
(ii) If yes, state the category

10. Give full name(s) and addresses of such organization(s).
.....
.....
.....
.....

11. Give brief information on the type and value of work you have done
in the past 36 months.
.....
.....
.....
.....

Give brief information on your areas of specialization

12. Give a brief profile of the company and its key functionaries.....
.....
.....
.....

PART B

CLASSES/CATEGORIES OF CONTRACTS

	NATURE OF WORKS	VALUE	REGISTRATION FEE (₦)	ANNUAL RENEWAL FEES (₦)
A.	All forms of Services		7,000.00	1,500.00
B.	Supplies (with exception of electrical materials)	B1 not exceeding ₦1m	2,500.00	1,000.00
		B2 not exceeding ₦5m	5,000.00	1,500.00
C.	All major construction and Civil Engineering construction contracts	C1 not exceeding ₦10m	7,000.00	2,000.00
		C2 not exceeding ₦25m	10,000.00	2,500.00
		C3 not exceeding ₦50m	12,000.00	3,500.00
		C4 above ₦50m	20,000.00	5,000.00
D.	All Forms of Electrical/Mechanical Engineering contracts including associated supplies	D1 not exceeding ₦10m	7,000.00	2,000.00
		D2 not exceeding ₦25m	10,000.00	2,500.00
		D3 not exceeding ₦50m	12,000.00	3,000.00
		D4 above ₦50m	25,000.00	5,500.00

Yours Faithfully,

OFFICIAL DESIGNATION