



SOKOTO STATE GOVERNMENT

BUREAU FOR PUBLIC PROCUREMENT AND PUBLIC PRIVATE PARTNERSHIP (BPPPPP)

SERVICE LEVEL AGREEMENT

This Agreement describes the key due process and public procurement compliance services the Bureau for Public Procurement and Public Private Partnership (BPPPPP) provides, and the standards committed to service delivery to procuring Ministries, Departments and Agencies (MDAs), suppliers, contractors and the general public.

1. Goal and Objectives

This Service Level Agreement (SLA) outlines the services provided by the Bureau for Public Procurement and Public Private Partnership and the standards committed to service delivery, in line with the Public Procurement Regulations for Goods, Works and Services 2008 (the Due Process Guidelines), issued by the Executive Governor's Office, Sokoto State, and the State Action on Business Enabling Reforms (SABER) Programme. The objectives of this SLA are:

- **Compliance:** Ensure that all procurements and contracts undertaken by the Government of Sokoto State comply with the principles of openness, transparency, accountability, competition, cost effectiveness and value for money.
- **Efficiency:** Review and certify due process compliance and issue Due Process Certificates for Contract Award, Payment and Implementation in a timely, transparent and accountable manner, so that procuring entities and contractors can proceed without avoidable delay.
- **Service Delivery:** Enhance service delivery by setting clear standards for review timelines, communication with procuring entities and bidders, and stakeholder satisfaction throughout the procurement cycle.

2. Stakeholders

The key stakeholders involved in this SLA include:

- **Bureau for Public Procurement and Public Private Partnership (BPPPPP):** Responsible for regulating public procurement, reviewing and certifying due process compliance, and issuing Due Process Certificates for Contract Award, Payment and Implementation.
- **Procuring Entities:** Ministries, Extra-Ministerial Offices, Departments, Agencies, Parastatals and Corporations of the Government of Sokoto State that plan and execute procurement.
- **Suppliers and Contractors:** Individuals, corporations, partnerships, joint ventures and other legal entities that bid for and execute State Government contracts.
- **State Tenders Board, Ministerial Tenders Boards and Resident Due Process Teams (RDPT):** Bodies responsible for vetting and recommending contracts for award within their approved thresholds.
- **General Public and Civil Society:** Beneficiaries of a transparent, competitive and value-for-money public procurement system, and witnesses to public tender openings.

3. Periodic Review

This SLA will be reviewed annually or as required to ensure its continued relevance and effectiveness. Reviews will consider feedback from procuring entities and contractors, periodic SLA compliance reports, and any changes in procurement laws, regulations or approval thresholds.

4. Scope of Services

S/N	Department Responsible	Service	Cost (NGN)	Beneficiaries	Requirements / Steps / Procedures	Response Timelines	Validity
1	Due Process Office (BPPPPP)	Issuance of Due Process Certificate for Contract Award	Free	Procuring Entities – Ministries, Extra-Ministerial Offices, Departments, Agencies, Parastatals and Corporations of the Government of Sokoto State	1. Procuring entity forwards a Letter of Request (LOR) for Due Process Compliance Review and Certification, together with the project policy file, background/technical/financial documents, evidence of advertisement, pre-qualification exercise and evaluation report, evidence of invitation to tender sent to all pre-qualified bidders, tender returns, and the tender evaluation report and analysis of financial bids. 2. BPPPPP conducts a Compliance Review to confirm that the process is right, the winner is right and the cost is right. 3. Where findings do not support certification, a Draft Due Process Review Report is issued and a Right of Reply meeting convened with the procuring entity. 4. Where compliance is confirmed, the Director General and Chairman of BPPPPP certify the project and issue the Due Process Certificate for Contract Award, as a pre-requisite for State Executive Council approval of contracts of ₦50 million and above.	10 working days from receipt of a complete request (excluding any Right of Reply period)	Specific to the contract awarded
2	Due Process Office (BPPPPP)	Issuance of Due Process Certificate for Payment	Free	Procuring entities and contractors on contracts of ₦50 million and above	1. Following State Executive Council approval, the procuring entity applies for a Due Process Certificate for payment of the advance sum, backed by an Advance Payment Guarantee/Bond from a reputable bank. 2. BPPPPP issues a Due Process Certificate for Payment of not less than 30% of the contract sum as the advance payment. 3. As aggregate payment reaches 50% of the contract sum, BPPPPP, in addition to documentary evidence, conducts a project site visitation jointly with the Spending Unit officials and the Contractor/Consultant before further certificates for payment are issued. 4. Subsequent Due Process Certificates for Payment are issued based on positive evaluation reports and documentary evidence of physical performance, up to the amount budgeted for the project in the Appropriation Act.	5 working days from receipt of a complete request; 10 working days where a site visitation is required	Tied to the specific payment stage certified

S/N	Department Responsible	Service	Cost (NGN)	Beneficiaries	Requirements / Steps / Procedures	Response Timelines	Validity
3	Due Process Office (BPPPPP)	Due Process Certificate for Contract Implementation	Free	Procuring entities implementing certified contracts	1. Procuring entity submits the project policy file, evidence of State Executive Council approval, evidence of appropriation/funding, the contract agreement and all addenda (including Bills of Quantities), performance security and bond, and evidence of utilisation of earlier released funds. 2. BPPPPP reviews the documentation for compliance with the Certificate of Implementation checklist. 3. Where satisfied, BPPPPP confirms the Certificate of Implementation for the life of the contract.	10 working days from receipt of complete documentation	For the duration of contract implementation
4	Resident Due Process Team (RDPT) / Ministerial Tenders Board	In-House Compliance Review for Contracts above ₦100,000 but below ₦5,000,000	Free	MDAs, Parastatals and Agencies of the Government of Sokoto State	1. The Resident Due Process Team (RDPT) established by the Ministry, Parastatal or Agency handles the Due Process Compliance Review of contracts within this threshold. 2. Where compliance is unanimously established by all RDPT members, including the BPPPPP representative, the contract is certified in-house. 3. Contracts of ₦5,000,000 but below ₦50,000,000 follow the same process, with RDPT recommendations and supporting documents forwarded to the State Tenders Board for vetting, then to the Due Process Office for final review and certification before award.	BPPPPP attends RDPT meetings on at least 7 working days' notice; final review within 10 working days of receipt from the State Tenders Board	Specific to the contract certified

Response timelines are in working days, excluding weekends and public holidays, and run from receipt of a complete request. Services 1 to 3 are BPPPPP's direct certification functions; Service 4 covers in-house review by Resident Due Process Teams for lower-threshold contracts.

5. Service Standards

- **Completeness Check:** BPPPPP shall review each Letter of Request and its supporting documents for completeness and notify the procuring entity of any missing items within two (2) working days of receipt.
- **Due Process Certificate for Contract Award:** the goal is to issue the Certificate within ten (10) working days of receipt of a complete request, provided the Compliance Review confirms that the process is right, the winner is right and the cost is right. Where a Right of Reply meeting is required, the timeline is paused until the meeting is concluded and any additional information is submitted.
- **Due Process Certificate for Payment:** an advance Certificate of not less than 30% of the contract sum is issued upon Executive Council approval and submission of an Advance Payment Guarantee/Bond; once aggregate payment reaches 50% of the contract sum, a joint site visitation with the Spending Unit and Contractor/Consultant is conducted before further certificates are issued.
- **Resident Due Process Team Meetings:** invitations from Ministries, Agencies and Departments for BPPPPP representation at RDPT meetings must reach the Bureau at least seven (7) working days before the meeting date.
- **Advertisement and Pre-Qualification:** contracts above ₦10 million are advertised in at least one national newspaper or the Government Gazette; applicants are allowed not less than fourteen (14) days from the date of placement of the advert to prepare and submit pre-qualification applications, and the pre-qualification benchmark score is 70% and above.

- **Communication:** BPPPPP shall promptly notify each procuring entity, and where applicable each supplier or contractor, of pre-qualification outcomes, tender rejections and the results of Compliance Review.
- **Compliance Rate:** BPPPPP shall track and report, at least quarterly, the percentage of Due Process Certificate requests decided within the committed timeline, using the formula: **SLA Compliance Rate (%) = (Number of requests decided within the committed timeline ÷ Total number of requests decided in the period) × 100.**

6. Penalties for Non-Compliance

- **By BPPPPP:** Failure to meet a committed timeline without written notice to the procuring entity of the reason and the expected resolution date shall be treated as a service failure and reported to the Director General, BPPPPP, for corrective action.
- **By Procuring Entities:** No Ministry, Department or Agency shall be allowed access to the public treasury to pay for any capital project without a Due Process Certificate. The Office of the Accountant-General and the Ministry of Finance shall not honour any request for release of funds for a capital project except where such request is backed by a Due Process Certificate.
- **By Suppliers and Contractors:** A supplier or contractor found at any time to have submitted false information concerning its qualifications shall be disqualified. Firms or individuals found to have engaged in corrupt, fraudulent, collusive or coercive practices in a procurement proceeding may be excluded from further proceedings, have a proposal rejected, or be declared ineligible, indefinitely or for a stated period, to be awarded public-financed contracts.
- **Inducements:** A tender, proposal, offer or quotation shall be rejected where the supplier or contractor offers, gives or agrees to give any gratuity, offer of employment or other thing of value as an inducement to a current or former officer or employee of the procuring entity or other governmental authority; the rejection and its reasons shall be recorded and communicated to the supplier or contractor.
- **Dispute Resolution:** Where a Due Process Certificate is denied, the procuring entity is entitled to a Right of Reply meeting to present additional information and documentation before the Draft Due Process Review Report is finalised. Grievances outside this process shall be resolved within ten (10) working days and escalated to the Director General, BPPPPP, and thereafter to the Office of the Executive Governor, Sokoto State, if unresolved.

7. Validity and Review

This Agreement is valid for one (1) year from the date of signing and shall be automatically renewed unless reviewed or terminated by either party on written notice. It shall be read together with the Public Procurement Regulations for Goods, Works and Services 2008 and any successor regulations; where this Agreement conflicts with those Regulations, the Regulations shall prevail. Where these Regulations conflict with the Government of Sokoto State's obligations under agreements with international organisations, the provisions of such international agreements shall prevail.

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Signed:
 Director General,
 Bureau for Public Procurement and Public Private Partnership
 Date: January 2025