



APPEALS NOTICE

According to Regulation 170 of the Public Procurement Regulations of 2011, “a bidder or supplier who is aggrieved with a decision made by a procuring entity or an approvals authority may apply for review or appeal of the decision, to the Authority, in accordance with Regulation 171.

Regulation 171 further states that “an application for review or appeal, under Regulation 170 shall be in writing and signed by the bidder, supplier or their representative to the controlling officer or chief executive officer and be made within ten (10) working days of the decision or stage of the procurement proceedings to which it relates, and shall: state the name and contact details of the bidder or supplier; the details of the procurement requirement to which the suspension relates, including any reference number; that the bidder or supplier is excluded from participating in all public procurement for a specified period; the grounds for the suspension; that the suspension applies to any “successor in interest,” which shall include any entity which employs, or is associated with, any partner, director, or named officer of a suspended entity; and that the suspension does not relieve the bidder or supplier of the responsibility for obligations under any existing contracts entered into before the suspension.

During the month of October, 2016, the Authority received and handled the following appeals and the outcomes were as indicated in the table below:

S/N	TENDER NUMBER	APPEAL SUMMARY	DECISION
1.	ZRA/PSU/NCS/011/16 FOR THE PROVISION OF INSURANCE BROKERAGE SERVICES FOR ZAMBIA REVENUE AUTHORITY	1. The appellant claimed that ZRA did not issue the Notice of Best Evaluated Bidder before contract award; 2. The Best Evaluated Bidder was expensive compared to other bidders.	1. The appeal was upheld in whole as there was no Notice of the Best Evaluated Bidder before contract award. 2. The appeal was upheld in part because the evaluation was

			<p>not done in accordance with the Public Procurement Act and Regulations.</p> <p><i>(Having the lowest bid price does not mean being the best evaluated bidder.)</i></p>
2.	<p>TENDER NO. MOCTA/CTA/01/2016- TENDER FOR SUPPLY AND DELIVERY OF RETAINERS UNIFORMS TO THE MINISTRY OF CHIEFS AND TRADITIONAL AFFAIRS</p>	<p>To review whether the evaluation process for the supply and delivery of retainer's uniforms was conducted in accordance with the Solicitation Document, Addenda and the Public Procurement Act No. 12 of 2008.</p>	<p>The Appeals Committee dismissed the appeal in whole in accordance with Section 70 (5) of the Public Procurement Act.</p>
3.			