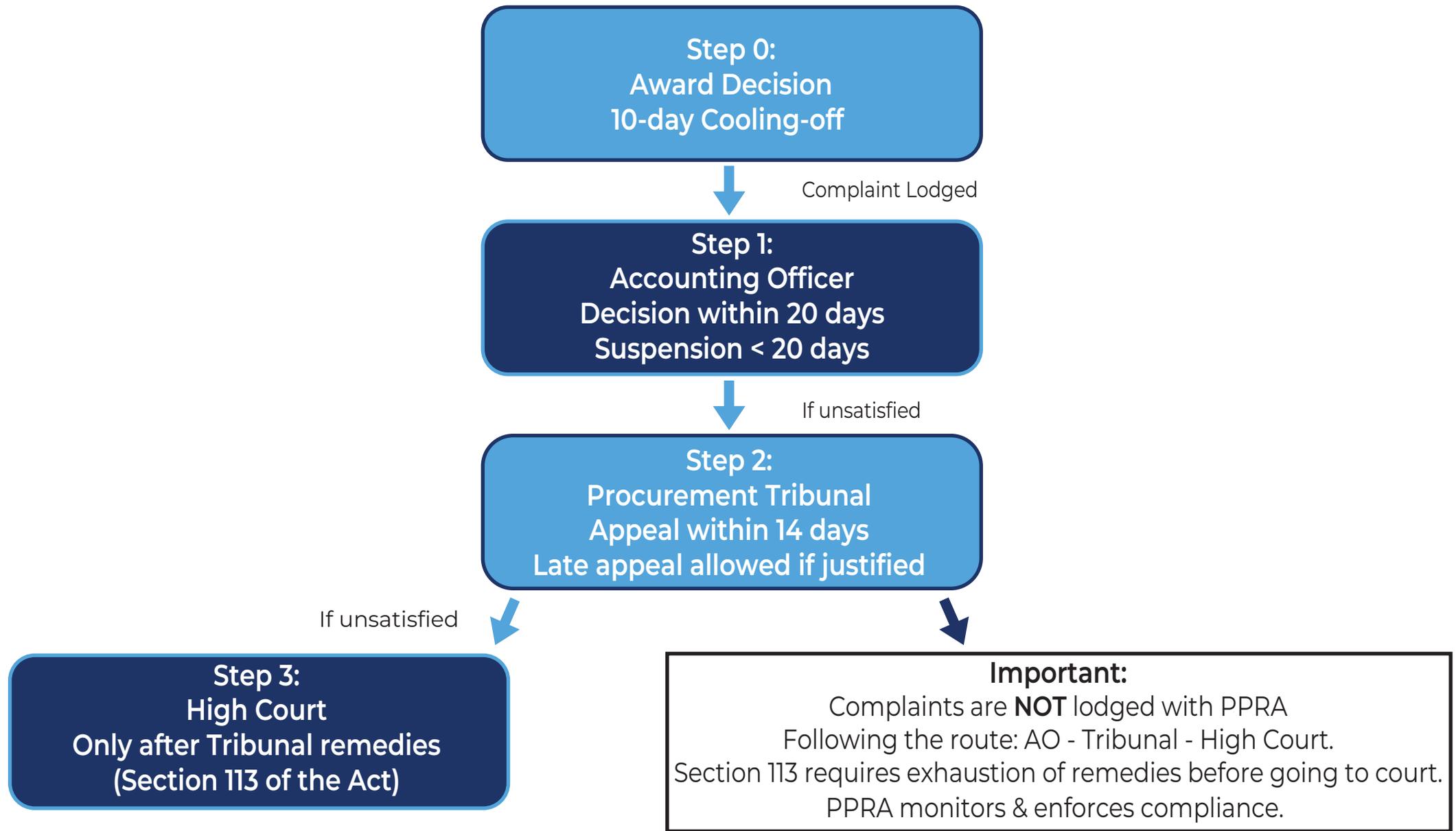


COMPLAINTS RESOLUTION PROCESS

Public Procurement Grievances



Complaints Resolution Process under the Public Procurement Act



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Public Procurement Regulatory Authority

Complaints Resolution Process under the Public Procurement Act

■ Step 0: Award Decision

- A 10-day cooling-off period applies before contract conclusion.

■ Step 1: Accounting Officer

- Complaints must first be lodged with the Procuring Entity's Accounting Officer.
- Procurement process suspension cannot exceed 20 days.
- A written decision must be made within 20 days of review proceedings.

■ Step 2: Procurement Tribunal

- Contractors may appeal within 14 days of the Accounting Officer's decision or where the suspension of the procurement process exceeds 20 days.
- Tribunal may condone late appeals if there is reasonable cause.

■ Step 3: High Court

- As per section 113 of the Public Procurement Act, the High Court may only be approached after exhausting the dispute resolution processes provided in the Act, including the Tribunal.

■ Important Notes

- Complaints must not be lodged with PPRA. The PPRA does not form part of the complaint's resolution process.
- Contractors must follow the pathway; **Accounting Officer** → **Tribunal** → **High Court**.
- For clarifications on the floating of tenders, bidders must follow instructions provided in the ITT. If not satisfied with the resolution of such clarifications, they may approach the Tribunal.
- Section 113 of the Public Procurement Act requires complainants to exhaust the dispute resolution processes under the Act before approaching the courts.
- The PPRA remains responsible for monitoring performance of Procuring Entities and enforcing compliance with the Act, ensuring that public procurement is fair, transparent, accountable, and efficient.

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