



PUBLIC PROCUREMENT AND DISPOSAL  
OF PUBLIC ASSETS AUTHORITY  
*"Procurement That Delivers"*

UGANDA:  
INTEGRATING SUSTAINABILITY INTO THE PROCUREMENT  
PROCESS, FOCUSING ON ENVIRONMENTAL AND SOCIAL  
IMPACTS

Presentation by: Mr. Benson Turamy  
Executive Director  
Public Procurement and Disposal of Assets Authority  
Uganda



“A nation that destroys its soils destroys itself. Forests are the lungs of our Land, purifying the air and giving fresh strength to our people”

**FRANKLIN D.  
ROOSEVELT**

THE 32ND PRESIDENT OF THE UNITED STATES



**Sustainability :“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”** *The Sustainable Procurement Institute 2011-2021*

- ❖ Sustainable Public Procurement (SPP) is a process by which public entities seek to achieve the appropriate balance between procuring goods, works and services that provide environmental, social and economic benefits while protecting public health and the environment over their whole life cycle.



SUSTAINABLE  
PROCUREMENT



Traditional  
procurement  
considerations



Economic  
Aspects



Environmental  
Aspects



Social Aspects



Governance  
aspects



---

01  
Legal  
Framework

# An enabling Legal Framework

The law that governs Public Procurement in Uganda is the PPDA Act Cap 205. This sets standards for the public procurement and disposal systems in Uganda among other objectives

- ❖ **Sec 60A of the PPDA Act Cap 205** provides for Sustainable Procurement. It states that a PDE shall for each procurement take into account environmental protection, social inclusion and stimulating innovation, as may be prescribed
- ❖ **Reg. 34 (5) PPDA Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services Regulations, 2023** states that a statement of requirements, shall where applicable, be environmentally and socially responsive





# An enabling Legal Framework

❑ In light with its mandate under Section 7 (1) (d) of the PPDA Act Cap 205 the Authority in 2019 revised the Standard Bidding Document (SBD) for use by Procuring and Disposing Entities (PDEs) for the procurement of works under the Open Bidding.

❑ The revision incorporated Environment and Social (E&S) safeguards for the procurement of works/infrastructure projects e.g. roads, water and sanitation systems, building works, bridges, etc..



---

02

Incorporating  
Sustainability in the  
Procurement Process





## Preparatory Activities/pre-bidding phase

They involve determining sustainability impacts and issues that the procurement approach should address. These include;

- ✓ Identification of the project area,
- ✓ Environmental and social impact assessment,
- ✓ Land identification/the right of way, and
- ✓ Active stakeholder engagement (NEMA, MOGLSD, UMEME, NWSC, Traditional and political leaders, etc)

# Integrating ESHS in the Bidding Document



## Part 1 Bidding Procedures

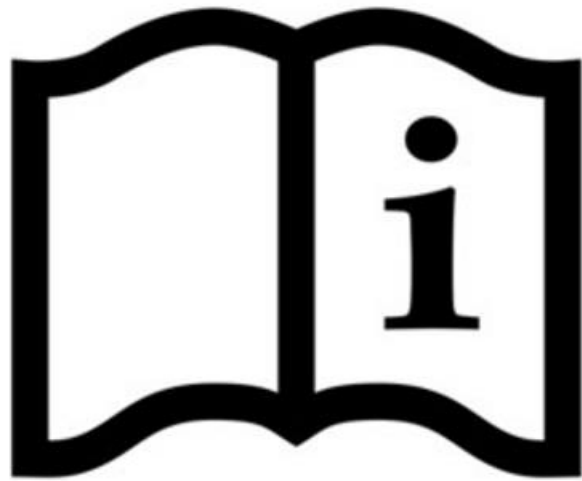
- Section 1. Instructions to Bidders (ITB)
- Section 2. Bid Data Sheet (BDS)
- Section 3. Evaluation Methodology and Criteria
- Section 4. Bidding Forms
- Section 5. Eligible Countries

## Part 2 Statement of Requirements

- Section 6. Statement of Requirements

## Part 3 Contract

- Section 7. General Conditions of Contract (GCC)
- Section 8. Special Conditions of Contract (SCC)
- Section 9. Contract Forms



## Key Considerations

- ❖ ITB 1.3 defines ESHS to mean environmental, social (including sexual exploitation and abuse (SEA) and gender-based violence (GBV)), health and safety.
- ❖ Provision in ITB 3.3 on corrupt practices takes into account the E&S code of conduct
- ❖ ITB 9.2 on-site visits and pre-bid meetings allows a bidder's environmental/social specialist to attend a site visit.
- ❖ ITB 15.1 (i and g) emphasises the E&S Code of Conduct for Contractor's Personnel and the Environment and Social Management Plan (ESMP)
- ❖ ITB 46 on performance security including the E&S Performance Security



# Bid Data Sheet

To be listed in the Bid Data Sheet in line with ITB 15.1 (i and g) are the E&S Code of Conduct for Contractor's Personnel and the Environment and Social Management Plan (ESMP).

# Code of Conduct for Contractor's Personnel

## Includes:

- ❖ Code of conduct for consistent use of Personal Protective Equipment.
- ❖ Code of conduct for waste (solid, medical and hazardous waste) management
- ❖ Code of conduct for sanitation management
- ❖ Code of conduct for providing alternative access to business premises and or communities
- ❖ Code of conduct of non-discrimination and equal opportunity
- ❖ Code of conduct for child protection and child labour
- ❖ Code of conduct for eliminating and managing Gender Based Violence

# ESHS Code of Conduct

## Code of Conduct (ESHS) Form

### Note to the Bidder:

The minimum content of the Code of Conduct Form as set out by the Employer shall not be substantially modified. However, the Bidder may add requirements as appropriate, including to take into account Contract-specific issues/risks.

The Bidder shall initial and submit the Code of Conduct Form as part of its bid.

## CODE OF CONDUCT (ESHS)

We....., [enter name of Bidder], undertake that once we are awarded the contract for .....[enter description of the works] to be carried out at [enter the site and other locations where the works will be carried out] shall implement measures to address environmental and social risks related to the works, including the risks of sexual exploitation and assault and gender-based violence.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the works. It applies to all our staff, labourers and other employees at the Works Site or other places where the works would be carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as “Contractor’s Personnel” and are subject to this Code of Conduct.

This Code of Conduct and the Code of Conduct for Contractor’s Personnel identify the behaviour that we require from all Contractor’s Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behaviour will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

We shall take into consideration the issues (including but not limited to labour influx, spread of communicable diseases, sexual harassment, illicit behaviour, crime and maintaining a safe environment), impacts and mitigation measures identified in project reports e.g. ESIA/ESMP, any particular GBW/SEA requirements, consent/permit conditions, required standards including World Bank Group EHS Guidelines, relevant international conventions, standards or treaties; national, legal and regulatory requirements and standards and all relevant standards e.g. Workers’ Accommodation.

Name of Contractor: [insert name]

Signature: \_\_\_\_\_

Date: (day month year): \_\_\_\_\_



# The Environment and Social Management Plan(ESMP)

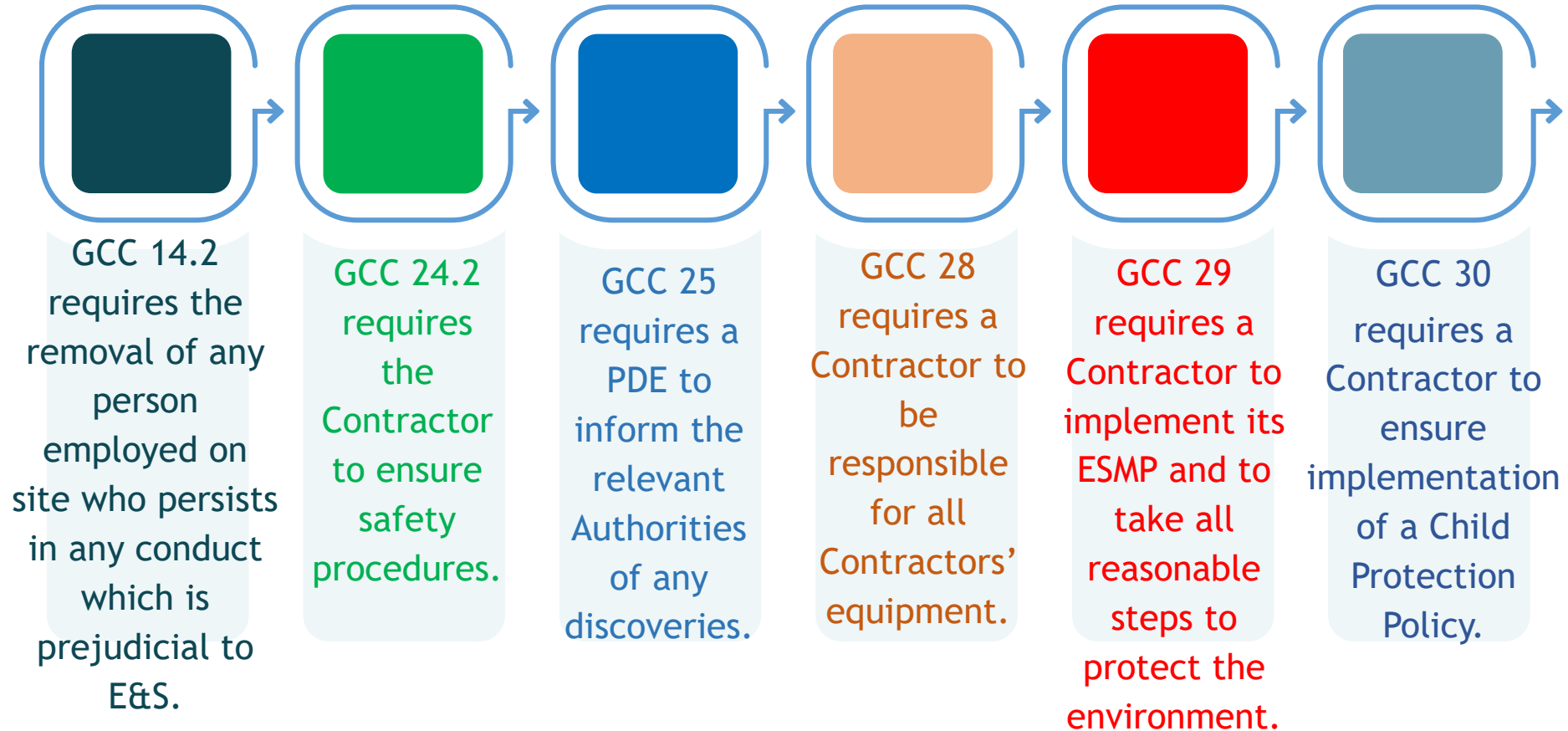
## Key Considerations-

- ❖ **Traffic Management Plan** to ensure safety of local communities
- ❖ **Water Resource Protection Plan** to prevent contamination of drinking water;
- ❖ Gender-based violence and sexual exploitation and abuse (GBV/SEA) prevention and response action plan.
- ❖ **Strategy for obtaining Consents/Permits** prior to the start of relevant works such as opening a quarry or borrow pit
- ❖ **Strategy for restoration of borrow pits**
- ❖ **Strategy for managing environmental pollution**
- ❖ **Strategy for protection of land areas, such as wet lands, Forests and other biodiversity**

## Detailed evaluation may cover the following

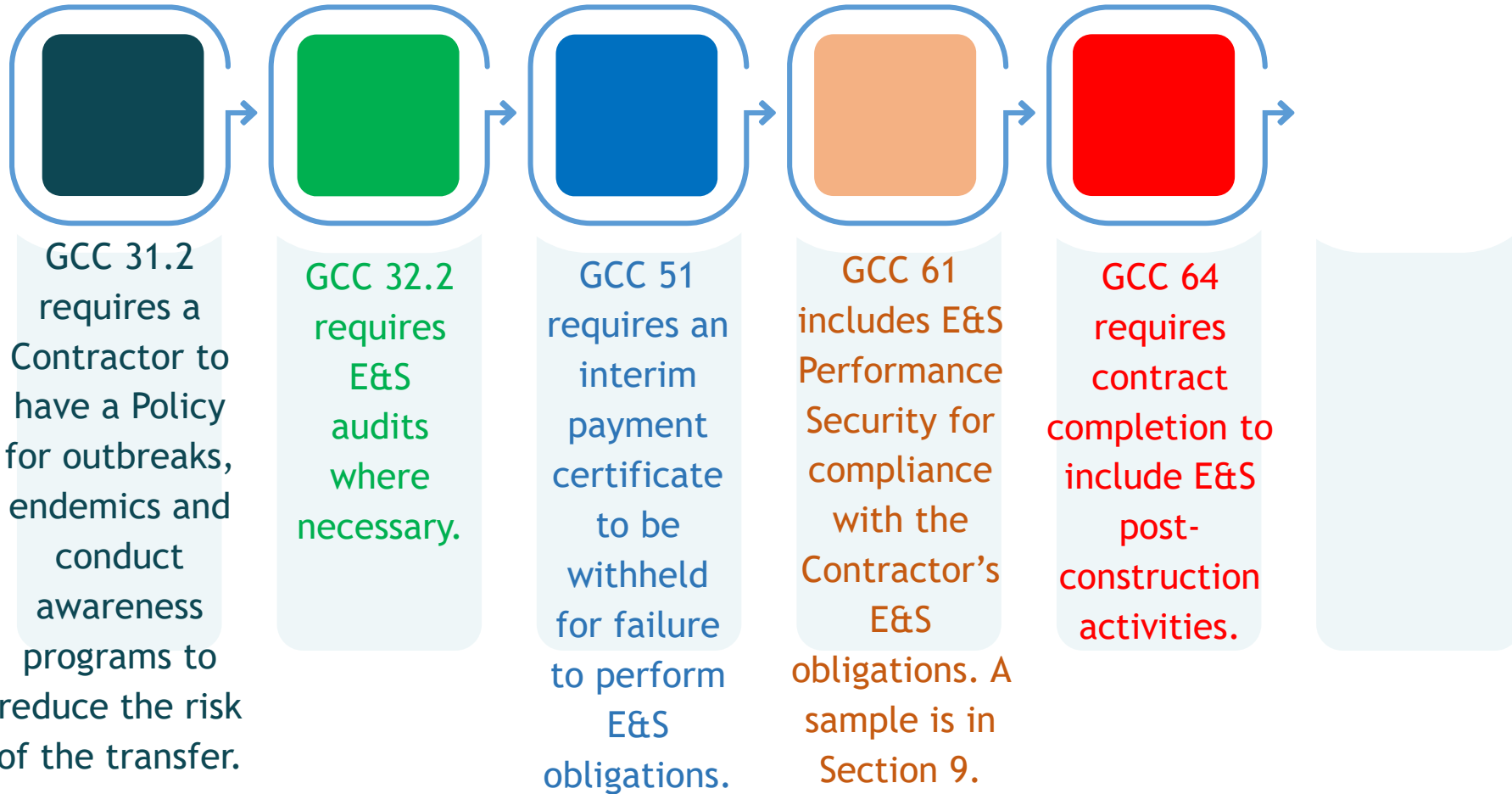
- ❖ Declaration of Environmental, Social, Health, and Safety (ESHS) past performance
- ❖ Personnel; environmental officers and social development officers, Health and Safety Officers ( Number is stated)
- ❖ Specific Experience in Environment and Social Activities(Certificates from NEMA, MOGLSD)
- ❖ Equipment e.g. Water bowser to suppress dust
- ❖ Safety Equipment (gloves, gum boots, helmets, eye protection goggles, reflective jackets, fire extinguishers, etc
- ❖ Non hazardous materials in products(should be a requirement in SOR)
- ❖ Servicing requirements by providers
- ❖ Total Cost of Ownership/Life Cycle Costing in case of supplies should be considered

## GCCs and SCCs guide contracting and include:





## More GCCs and SCCs





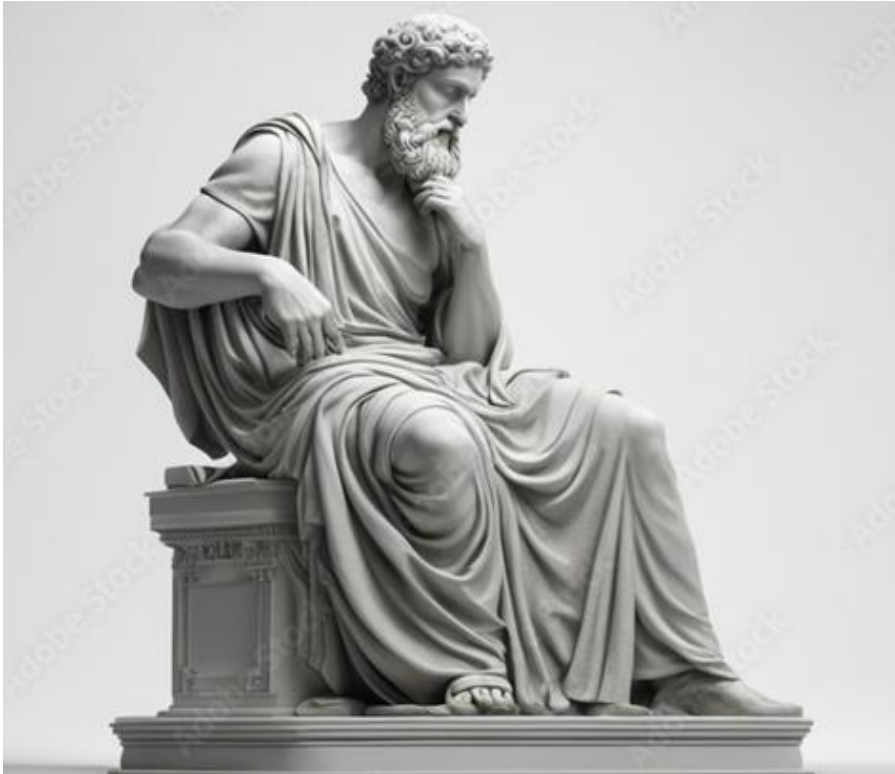
# Sustainability Monitoring

Are Sustainability Measures being followed?





# Wise Words



“

”

**IT'S TIME TO SHIFT FROM BEING  
CONSUMERS TO BEING  
CARETAKERS. WE HAVE THE  
POWER TO SHAPE A SUSTAINABLE  
WORLD THROUGH OUR CHOICES.**

– MARI COPENY



# Thank You!

Head Office:  
PPDA-URF Towers, Plot 39 Nakasero Road  
P.O. Box 3925, Kampala Uganda

