

Our Ref. No. ODBPP/OP/064/84
Ondo State Bureau of Public
Procurement,
Governor's Office, Alagbaka,
Akure.

16th March, 2021.

CIRCULAR LETTER TO:

The Chief of Staff to Mr. Governor,
The Secretary to the State Government,
All Permanent Secretaries,
The Clerk, Ondo State House of Assembly,
The Chief Registrar, Ondo State Judiciary,
The Accountant – General,
The State Auditor - General,
Administrative Secretaries,
General Managers/Heads of Non-Ministerial Departments,

REQUIREMENT FOR CERTIFICATE OF NO OBJECTION – POLICY CLARIFICATION

1. The Bureau of Public Procurement (BPP), consequent upon the completion of its year end audit of all ongoing projects across the State, is pleased to note the remarkable improvement in the level of compliance with procurement processes and post contract award management. It is no gainsaying that while we have not attained the preferred threshold in terms of compliance with due process in the awards of contract, it is incontrovertible and salutary that we are no longer where we used to be.
2. Given the impressive progress we have made in terms of compliance with global best practices, the BPP in exercise of the powers conferred on it by the provisions of Sections 5(a), 6(c) and 6(l) of the Ondo State Public Procurement Law, 2017; has considered it expedient to effect a policy clarification.
3. The requirement for Certificate of No Objection with respect to each milestone payment is to be obtained once in the life cycle of a project i.e before contract award. Contracts that have already been awarded without the Certificate of No Objection can under procurement audit and still obtain the Certificate of No Objection. The Certificate of No Objection is not necessary for every milestone payment. MDAs may thus attach the Certificate of No Objection obtained before contract award for all its request for payment.
4. The requirement for No Objection to payments, as a condition precedent to each milestone payment, shall be limited to only the Final Certificate and Certificate for the Payment of Retention.
5. Certificate of No Objection to contract awards remains valid in line with Section 16(1)(b) and Section 16(2) of ODPPL 2017. To obtain this Certificate, Procuring Entity, prior to award, shall forward to the BPP the following documents:

- (i) Evidence of Budgetary Provision Approval of Funds Provision
 - (ii) Evidence of Mr Governor's Approval
 - (iii) Price Information (Consultant's, Contractor's or BPP's Benchmark)
 - (iv) Evidence of Bids Solicitation of Tender Advert
 - (v) Photocopy of Bids Submission Register
 - (vi) Minutes of Bid Opening
 - (vii) Photocopy of Bid Evaluation Documents
 - (viii) Minutes of Tender's Board Meeting
 - (ix) Evidence of Chief Executive's Concurrence with Bidding Process
 - (x) Any other document that may be relevant to the transaction.
6. With respect to payment in respect of Final Certificate or Request for Payment of Retention, No Objection or Certificate of Payment shall only be issued contingent upon satisfactory project visitation/inspection report issued by BPP.
 7. As part of its oversight function, BPP reserves the right to visit on-going projects at short notice to the supervising agency/Procuring Entity.
 8. The policy clarification is expected to fast-track disbursement of funds, which will hasten timely completion of ongoing projects. In addition, it will hedge inflation without compromising due diligence and ensure time delivery of dividends of democracy.
 9. It must however be emphasized that BPP will not hesitate to re-introduce the policy of interim No Objection per milestone payment if it observes any modicum of deterioration in the level of compliance with due process and best practices.
 10. As we strive to become a reference point in best global practices in public procurement, we must not take our eyes away from the plow and as such all hands should be on the deck at all times.



Tolu Fadahunsi
Director General.