

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED
BY GUYANA**

ARTICLE 9, PARAGRAPH 1 UNCAC

PUBLIC PROCUREMENT

GUYANA (THIRTEENTH MEETING)

3. Procurement Regulation # 9 of 2004 imposes a mandate upon government to create a website to publicise contracts awarded as well as to generally disseminate information concerning public procurement. This information includes information related to procurement procedures, invitations to tender, and information on contracts awarded. This website has been established.¹ The publication of invitation to tender is critical since **section 25 of the Procurement Act requires** that public tendering is mandatory for State procurement entities.

4. This provision supplements **section 11** of the Procurement Act, which requires procuring entities to publish notice of procurement contract within seven days of awarding contracts.

9. Regulation 4 (1) provides as follows: the Administration **shall create an internet website** for the purpose of giving publicity to contract awards and to otherwise disseminate information about public procurement.

11. Regulation 4 (3) states that within two days of receiving any report of the type mentioned in the preceding paragraph, the administration shall publish the information obtained on the Website.

12. Regulation 4 (4) states that the Information contained on the website shall be freely available to the public.

13. Regulation 4 (6) states that the Administration shall organise the Website in such a manner as to provide information on public procurement in general, including business opportunities and to facilitate access to standard forms and documents in use by the Government.” Guyana’s NPTAB was the first in the Caribbean Region to post on its website information on contracts, minutes of opening of tenders, and awards.² It should be noted that this website was dismantled between the years 2016-2020 and has now been restored in 2021.

¹ <https://www.npta.gov.gy/>

² www.nptab.gov.gy

14. The procedure for public tendering is set out in **Part V of the Procurement Act**. Under this part, tenders must be solicited through publication of invitations in at least two newspapers of wide circulation or on a website of free access where Government procurement opportunities are displayed. Such invitations may also be published in at least one journal of wide international circulation dedicated to publishing international tendering, where applicable.

15. The relevant provisions on the procedure of open tendering are set out below:

Part V “30. (1) - A procuring entity shall solicit tenders by causing an invitation to tender to be published in newspapers of wide circulation or on a website of free access where Government procurement opportunities are displayed and posted in public places. The invitation to tender or to prequalify, as applicable, shall contain a brief description of the goods or construction to be procured and shall state the deadline for submission and where the solicitation documents and additional information regarding the tender may be obtained.”

16. Part V (2) states that the invitation to tender or invitation to prequalify, shall be published in at least a newspaper of wide circulation or in at least one journal of wide international circulation dedicated to publishing international tendering, whenever foreign tenderers are expected to be interested in the contract, or, on a website of free access where Government procurement opportunities are displayed. Contracts in which only national tenderers are expected to be interested may be advertised only nationally, pursuant to subsection (1).

17. All of this information, including the legislation which sets out the procedure referenced, and all other relevant information may be accessed from the National Procurement and Tender Administration Board’s website, which was referenced earlier.

20. The opening of tenders at all levels of the government and statutory agencies are open to the media and the bidders where the bid by each contractor is read out publicly. Due to the Covid -19 pandemic, NPTAB is using its website to enhance transparency by streaming live the opening process of Bids. When a person submits a Bid, they receive an ID, and a link which allows that person/contractor to view the Bid opening process online. Further, through the online viewing, persons are allowed to view who they are competing with as if they were attending a normal in persons opening of the bids.