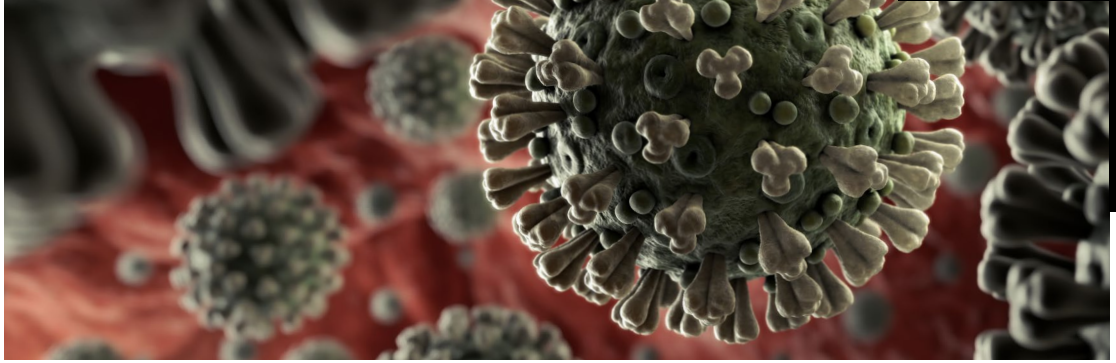


23 APR. 20



ANGOLA

Coronavirus: Exceptional and transitional measures for public procurement

Following the declaration of the state of emergency, the Ministry of Finance approved Executive Decree 153/20 of 17 April 2020, which establishes exceptional and transitional measures for public procurement during the state of emergency.

In order to ensure the continuity of the procurement procedure, and due to reasons of urgency, public contracting authorities must adopt the simplified procurement procedure.

The Executive Decree also provides for the following measures to ensure an easier procedure:

- For the acquisition of goods, services and contracts, any written document will be valid as part of the procedure, provided it contains the quantities, type and/or species to be contracted and is signed by the highest body of the public contracting authority;
- The presentation of any qualification document is waived;
- Awards may be made on the basis of invoices;
- Contracts do not have to be made in writing and their execution must be accompanied by delivery terms.

The above documents should be sent electronically.

"In order to ensure the continuity of the procurement procedure, and due to reasons of urgency, public contracting authorities must adopt the simplified procurement procedure."

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"The scope of the public contracts considered essential under the Executive Decree that are in the execution phase may be extended without having to respect the limit of 15% for additional works and services."

The authorisation of expenditure is be subject to the following limits:

- Ministers of State: up to AOA 2.5 billion;
- Ministers, Provincial Governors and Highest Bodies of the Budget Units of the Central Administration of the State: up to AOA 2 billion; and
- Managers of the Budget Units of Local Government Authorities and the Highest Body of Public Institutes, Public Enterprises and Companies with Public Domain: up to AOA 2 billion.

The remaining limits on powers to authorise expenditure set out in Presidential Decree 282/18 of 28 November 2018, as amended by Rectification 26/18 of 31 December 2018, remain unchanged.

The deadlines relating to the public procurement procedures in progress are considered suspended as from 27 March 2020 and for as long as the state of emergency is in force.

The scope of the public contracts considered essential under the Executive Decree that are in the execution phase may be extended without having to respect the limit of 15% for additional works and services provided in the Public Procurement Law. In these cases, the addenda do not have to be made in writing and the execution must be accompanied by delivery terms.

In contracts for the acquisition of goods and services to prevent and control the spread of the COVID-19 pandemic, down payments exceeding 15% of the contract value can be made.

Public contracting authorities that incur expenditure under these exceptional and transitional measures must submit a report within 15 days of the declaration of the end of the pandemic.

The Executive Decree enters into force on 18 April and applies to all public procurement procedures started and/or concluded during the state of emergency. ■

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PLMJ COLAB ANGOLA – CHINA/MACAO – GUINEA-BISSAU – MOZAMBIQUE – PORTUGAL – SÃO TOMÉ AND PRÍNCIPE – TIMOR-LESTE

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