



April 2018

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WHAT IS NEW IN PUBLIC PROCUREMENT IN ANGOLA

PUBLIC PROCUREMENT UNIT AND PROJECT OR CONTRACT MANAGER

Presidential Decree 88/18 came into force on 6 April and establishes the rules for the organization and operation of the *Unidades de Contratação Pública* [Public Procurement Units] (“UCP”). These Units will intervene at the stages of formation and management of projects and contracts executed by *Entidades Públicas Contratantes* [Public Contracting Entities] (“EPC”), i.e., public entities (and state-owned companies) qualified as such in the Public Contracts Act.

This statute is pivotal for public procurement and its content needs to be duly considered not just by EPCs but also by State and other public entities suppliers.

The **stage of formation** of public contracts is followed up by the UCP, and the stage of performance and management of public contracts will be supervised by the **Project or Contract Manager** (“Manager”).

The UCP and the Manager were created to, among other things, “*decentralize powers within the scope of public procurement (...)*” and “*bring about scale economies and the effective implementation of sustainability policies in public procurement procedures*”.

Public Procurement Units

The UCP are departments or sections of the EPC that are tasked by law with aggregating and managing the formation of all public procurement procedures launched by the latter, and with collecting and processing the relevant information.

The institutionalization of the UCP is subject to a proposal of the Ministerial Department in charge of Public Finance (either through the *Serviço Nacional da Contratação Pública* [National Public Procurement Service] or on the ECP’s initiative).

Although the UCP intervenes only at the stage of formation of the contracts, its scope of powers is broad. It is notably tasked with:

- structuring the “*EPC’s procurement function*”;

- liaising with the EPC's technical areas, including to ascertain existing needs and to ensure that the procedure documents are properly drafted;
- streamlining the functioning of the Evaluation Committee, proposing its members and issuing an opinion on the documents it drafts;
- ensuring full use of the public procurement electronic platforms, including to publish announcements, decisions to launch procedures and award decisions;

Project or Contract Manager

The Manager is another innovation of the statute, and its main task is to follow up on the contract until termination. The Manager needs to have *“relevant technical experience to follow up on and ensure the proper performance of the project, and be skilled in project management techniques”*.

The Manager is appointed by the body with authority to make the procurement decision, and the appointment is mandatory for *“Public Works Contracts”* and *“Goods and Services Supply Contracts”*

Managers can be appointed even if the UCP is not institutionalized.