



August 5th, 2014

The Executive Secretary,
Tertiary Education Trust Fund (TETFUND)
6 Zambezi Crescent, off Aguiyi Ironsi Street, Maitama.
Abuja.

Dear Sir/Madam,

UNLAWFUL EJECTION OF PROCUREMENT MONITORS FROM THE TETFUND BID OPENING SESSION HELD ON 5th AUGUST, 2014

We write to bring to your attention the unlawful ejection of three (3) public procurement observers of the Civil Society Legislative Advocacy Centre (CISLAC) from the premises of the TETFUND bid opening session held today 5th August, 2014 at the Auditorium of the Nigerian Merit House, Aguiyi Ironsi Street, Maitama.

The procurement observers were requested by a staff of Tetfund to produce their ID Card and the RC number of their organization which they provided for inspection by the said gentleman.

Despite this, they were asked to leave the premises by the said staff without any explanation.

The said unlawful ejection is in direct contravention of the provisions of **Section 30 (b) of the Public Procurement Act, 2007** which provides the procuring entity shall *“cause all bids to be opened in public, in the presence of the bidders or their representatives and ANY INTERESTED MEMBER OF THE PUBLIC”*

May I also refer you to the express provisions of **Section 19** of the Public Procurement Act, 2007 which permits observers from **non-governmental organizations working in transparency, accountability and anti-corruption areas to observe every procurement process**; a provision which has been given effect by your advert in the Federal Tenders

Journal of July 14-July 27, 2014 that notified and invited all relevant NGOs to witness the Public opening of the advertised Expression of Interest.

In the light of the actions of this staff which clearly contravened the requirements for an open and accountable procurement process, we hereby request for his actions to be strongly reprimanded. We further request for all employees of the TETFUND to be educated on the provisions of the Public Procurement Act 2007 and the Freedom of Information Act 2011, which ensure the participation of citizens Public Procurement processes and Governance.

We look forward to better cooperation.

Thank you.

Yours Sincerely



Seember Nyager

Deputy Coordinator

Public and Private Development Centre (PPDC)

www.ppdncg.org, www.procurementmonitor.org