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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT | FOURTH SESSION (2025)

FOURTH REPORT OF THE COMMITTEE ON IMPLEMENTATION

REPORT ON CONSIDERATION OF THE COMMITTEE ON DELEGATED LEGISLATION REPORT REGARDING THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR ON THE ENFORCEMENT OF COMPLIANCE WITH THE MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES (CIRCULAR NO. 04/2025)

OCTOBER, 2025

The Directorate of Audit, Appropriations and General-Purpose Committees

The National Assembly
Parliament Buildings
NAIROBI

THE NATIONAL ASSEMBLY
PAPERS LAID

DATE: 14 OCT 2025 DAY: Tuesday

TABLED BY:	Hon. Paptad Wangala (Chairperson, Committee on Implementation)
CLERK AT THE TABLE:	Shibuko





TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	ii
1.0 PREFACE	vi
1.1 Establishment and Mandate of the Committee	vi
1.2 Committee Membership	vii
1.3 Committee Secretariat	ix
2.0 IMPLEMENTATION STATUS OF THE CONSIDERED REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION'S ON THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR ENFORCING MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES (CIRCULAR NO. 04 OF 2025)	1
2.1 Introduction	1
2.2 Object and Purpose of the Circular	3
2.3 Legislative Context	3
2.5 Summary of the Content of the Circular	5
3.0 SUBMISSIONS TO THE COMMITTEE ON DELEGATED LEGISLATION FROM THE PUBLIC PROCUREMENT REGULATORY AUTHORITY	7
3.1 Committee on Delegated Legislation Observations	8
4.0 SUBMISSIONS TO THE COMMITTEE ON IMPLEMENTATION BY THE CABINET SECRETARY, NATIONAL TREASURY AND ECONOMIC PLANNING AND THE PUBLIC PROCUREMENT REGULATORY AUTHORITY	12
5.0 COMMITTEE OBSERVATIONS	17
6.0 COMMITTEE RECOMMENDATIONS	21

ABBREVIATIONS AND ACCRONYMS

Cap.	Chapter (of the Laws of Kenya)
CBS	Chief of the Order of the Burning Spear
COI	Committee on Implementation
DLPS	Directorate of Legislative and Procedural Services
EGH	Elder of the Order of the Golden Heart
E-GPS	Electronic Government Procurement System
e-GP	Electronic Government Procurement
EBS	Elder of the Order of the Burning Spear
ICT	Information and Communication Technologies
KUP	Kenya Union Party
MP	Member of Parliament
ODM	Orange Democratic Movement
PPIP	Public Procurement Information Portal
PPRA	Public Procurement Regulatory Authority
UDA	United Democratic Alliance
UDM	United Democratic Movement
UPA	United Progressive Alliance
UPIA	United Progressive Independent Alliance
WDM	Kenya Wiper Democratic Movement – Kenya

CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Committee on Implementation in its oversight of the status of resolutions from the Committee on Delegated Legislation's Report on the Public Procurement Regulatory Authority Circular on the Enforcement of the Mandatory Use of the **Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)**. The follow-up was conducted after the adoption of the Report, tabled by the Chairperson of the Committee on Delegated Legislation, Hon. Chepkong'a Kiprono Samuel, CBS, M.P., on 19th August, 2025.

The report arose from the Morning Sitting of the National Assembly on 14th August, 2025, when the Hon. George Gitonga Murugara, CBS, MP, laid before the House, the Public Procurement Regulatory Authority's *Circular No. 04 of 2025* (hereafter referred to as "the Circular"), dated 12th August, 2025, on the *Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all public procuring entities*.

Hon. Murugara observed that the Circular appeared to carry the force of law by declaring non-compliance an offence, thus necessitating its submission to parliamentary scrutiny. He accordingly sought the guidance of the Hon. Speaker for the Circular to be referred to the Committee on Delegated Legislation for examination and approval as mandated by the Statutory Instruments Act (Cap 2A). In response, the Hon. Speaker directed that the Committee on Delegated Legislation undertake scrutiny of the Circular in accordance with the applicable legal provisions.

Pursuant to provisions of Article 153(4) (b) of the Constitution that requires Cabinet Secretaries to provide Parliament with full and regular reports concerning matters under their control, the Committee on Implementation, therefore, on 26th August, 2025 wrote to the Cabinet Secretary for The National Treasury and Economic Planning, the Hon. John Mbadi, EGH and the Director General – Public Procurement Regulatory Authority Mr. Patrick Wanjuki.

During the consideration of the Report, the Committee observed that the purpose of the Circular was to enforce compliance with the mandatory use of the electronic government procurement system (E-GPS) by all public procuring entities. This, as noted by the Committee on Delegated Legislation, had contravened Article 227(1), which requires a procuring entity to ensure a fair, equitable, and transparent procurement process. Furthermore, Section 77(1) of the Public

Procurement and Assets Disposal Act stipulates that tenders may be submitted through both electronic and manual systems. The Committee on Delegated Legislation had recommended that the House declare that Circular No. 04 of 2025 a nullity, pursuant to section 18 of the Statutory Instruments Act (Cap. 2A).

The Committee on Implementation, having reviewed the **Report of the Committee on Delegated Legislation regarding the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)**, noted that *Circular No. 04 of 2025, dated 12th August 2025*, had been annulled by the House. However, the Committee observed that the annulment of *Circular No. 04 of 2025* did not consider that compliance with the mandatory use of the E-GPS could continue through a Cabinet Directive issued during its 4th meeting on 24th June 2025, which established eGP as the primary procurement method for all Government transactions. Additionally, the Committee noted that the House did not annul two previous circulars:

- a) Circular Ref. No. NT/PPD/1/3/14 Vol VI by the Cabinet Secretary, The National Treasury and Economic Planning dated 26th March, 2025 directing Accounting Officers to transition to the eGP system with effect from 1st July, 2025; and
- b) Circular No. OP/CAB.6/2A dated 5th June, 2025, from The Head of Public Service, reiterating the need for all Procuring Entities to onboard into the eGP system.

The Committee also observed that while the circulars and directives on mandatory use of the Electronic Government Procurement System (E-GPS) by all public procuring entities from the Executive have legal underpinnings in the Constitution and laws such as the Public Procurement and Asset Disposal Act, 2015, implementation needed to take into consideration challenges faced by public entities and the general public regarding onboarding E-GPS such as geographical remoteness, lack of internet, electricity connection and technological challenges.

The Committee therefore recommends that the government implement a phased rollout where both manual and electronic procurement systems operate concurrently, as envisaged by Section 77(1) of the Public Procurement and Assets Disposal Act, as the ministry builds user capacity nationwide. That, while the National Treasury, with the assistance of the World Bank, from 2018

carried out an e-Procurement readiness assessment to evaluate the Country's readiness and the capabilities of the existing IFMIS system to undertake Public Procurement electronically, the Committee still has reservations on the actual e-Procurement readiness amongst public officers and members of the public.

The Committee reiterates its support for the common effort by government and the public towards prudent utilization of public funds, curbing wastage, and combating corruption by all means possible.

Towards this end, I wish to reiterate the Select Committee on Implementation's utmost commitment to ensuring that the National Assembly resolves issues of concern to the citizenry by holding the Executive to account through the implementation of House resolutions. This ultimately ensures that the National Assembly executes its constitutional mandate effectively and efficiently and that it does not act in vain.

In conclusion, Honourable Speaker, I express my appreciation to fellow Honourable Members of the Committee, the Office of the Speaker, the Clerk of the National Assembly and the Secretariat for facilitating the production of this Report.

Honourable Speaker, pursuant to Standing Order 199(6), it is my pleasant duty and privilege, on behalf of the Select Committee on Implementation, to lay this Report on the Table of the House and urge the House to adopt it and the recommendations therein.



HON. RAPHAEL BITTA SAUTI WANJALA, CBS, MP.
CHAIRPERSON, SELECT COMMITTEE ON IMPLEMENTATION

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Select Committee on Implementation is established under Standing Order 209 of the National Assembly Standing Orders.
2. The Committee is charged with scrutinizing the resolutions of the House (including adopted Committee Reports), Petitions and undertakings given by the National Executive and examining whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation had taken place within the minimum time necessary; and whether or not legislations passed by the House have been operationalized and where operationalized, the extent to which such operationalization had taken place within the minimum time necessary. The Committee may propose to the House sanctions against any Cabinet Secretary who fails to report to the relevant Select Committee on implementation status without justifiable reasons.
3. Standing Order 201 further provides that within sixty days of a resolution of the House or adoption of a Report of a Select Committee, the relevant Cabinet Secretary under whose portfolio the implementation of the resolution falls shall provide a report to the appropriate Committee of the House.
4. The mandate of the Committee is further enhanced by the provisions of Article 153(4) (b) of the Constitution, which requires Cabinet Secretaries to provide Parliament with full and regular reports concerning matters under their control.

1.2 Committee Membership

5. The Committee on Implementation was reconstituted on 5th March, 2025, and comprises the following members–

CHAIRPERSON

Hon. Raphael Bitta Sauti Wanjala, MP

Budalangi Constituency

Orange Democratic Movement

VICE-CHAIRPERSON

Hon. Rose Museo, MP

Makueni County

Wiper Democratic Movement-Kenya

MEMBERSHIP

Hon. Mohamed Ali, MP

Nyali Constituency

United Democratic Alliance

Hon. Mark Samwel Muriithi Mwenje, MP

Embakasi West Constituency

Jubilee Party

Hon. Mbalu, Jessica Nduku Kiko, CBS, MP

Kibwezi East Constituency

Wiper Democratic Movement – Kenya

Hon. Johnson Many Naicca, CBS, MP

Mumias West Constituency

Orange Democratic Movement

Hon. Elijah Memusi Kachory, MP

Kajiado Central Constituency

Orange Democratic Movement

Hon. Hillary Arap Kosgei, MP

Kipkelion West Constituency

United Democratic Alliance

Hon. Nicholas N. Nixon Ngikilong', MP

Turkana East Constituency

Jubilee Party

Hon. Charles Gumini Gimose, MP

Hamisi Constituency

Amani National Congress

Hon. Lillian Chebet, Siyoi, MP
Trans Nzoia County
United Democratic Alliance

Hon. Abdul Ebrahim Haro, MP
Mandera South Constituency
United Democratic Movement

Hon. Cynthia Jepkosgei Muge, MP
Nandi County
United Democratic Alliance

Hon. Julius Taitumu M'Anaiba, MP
Igembe North Constituency
United Democratic Alliance

Hon. Hamisi Kakuta Maimai, M.P
Kajiado East Constituency
Orange Democratic Movement

Hon. Chepkwony, Charity Kathambi, MP
Molo Constituency
United Democratic Alliance

Hon. Zamzam Mohamed Chimba, M.P
Mombasa County
Orange Democratic Movement

Hon. Rael Chepkemoi Kasiwai, M.P
West Pokot County
Kenya Union Party

Hon. Chege Njuguna, MP
Kandara Constituency
United Democratic Alliance

Hon. Kitilai Ole Ntutu, MP
Narok South Constituency
Independent

Hon. Komingoi Kibet Kirui, MP
Bureti
United Democratic Alliance

1.3 Committee Secretariat

6. The secretariat facilitating the Committee comprises of the following officers—

Ms. Lucy G Kimathi

Principal Clerk Assistant I

Team Leader

Mr. Abdiaziz Shobay

Clerk Assistant I

Mr. Mark Namaswa

Clerk Assistant II

Ms. Noel Amutabi

Legal Counsel II

Mr. Alex Amwata

Hansard Reporter II

Mr. Eugene Luteshi

Audio Officer

Mr. James Macharia

Media Relations Officer I

Mr. Collins Namulen

Fiscal Analyst II

Ms. Catherine Mukunyi

Sergeant- at- Arms

Ms. Mercy Ondego

Research Officer III

Ms. Shamsa Ahmed

Research Officer III

2.0 IMPLEMENTATION STATUS OF THE CONSIDERED REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR ENFORCING MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES (CIRCULAR NO. 04 OF 2025)

2.1 Introduction

7. Upon adoption of the **Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)** tabled by the Chairperson of the Committee on Delegated Legislation the Hon. Chepkong'a Kiprono Samuel, CBS, M.P, by the House on 14th August, 2025, the Committee on Implementation made a follow up on the implementation status of the resolutions contained in the report as per its mandate as established under Standing Order 209 of the National Assembly Standing Orders.
8. The Committee on Delegated Legislation report had recommended thus: **Having examined the Public Procurement Regulatory Authority Circular No. 04 of 2025, dated 12th August 2025, on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by All Public Procuring Entities, in accordance with the Constitution, the Interpretation and General Provisions Act (Cap. 2), the Public Procurement and Asset Disposal Act (Cap. 412C), and the Statutory Instruments Act (Cap. 2A), the Public Procurement and Asset Disposal Regulations, 2020, the Committee recommends that the House declares Circular No. 04 of 2025 a nullity, pursuant to section 18 of the Statutory Instruments Act (Cap. 2A).**
9. The report was as a result of the Morning Sitting of the National Assembly on 14th August, 2025, where the Hon. George Gitonga Murugara, CBS, MP, had laid before the House, the Public Procurement Regulatory Authority's *Circular No. 04 of 2025* (hereafter referred to as "the Circular"), dated 12th August, 2025, on the *Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all public procuring entities*.

10. The Hon. Murugara had observed that the Circular is a statutory instrument within the meaning of section 2 of the Statutory Instruments Act (*Cap 2A*) and, as such, ought to have been transmitted to the House for committal to the Committee on Delegated Legislation for scrutiny and approval. Hon. Murugara had noted that the Circular appeared to have the force of law by declaring that failure to comply would constitute an offence, thereby making it imperative for the Circular to undergo the requisite parliamentary scrutiny. Accordingly, the Hon. Murugara requested that the Hon. Speaker issue directions for the Circular to be referred to the Committee on Delegated Legislation for scrutiny and approval as required by the Statutory Instruments Act (*Cap 2A*).
11. Consequently, the Hon. Speaker directed the Committee on Delegated Legislation to undertake a thorough scrutiny of the Circular in line with the relevant legal framework. Furthermore, the Committee was directed to table its report before the House on Tuesday, August 19, 2025.
12. In compliance with the directive of the Hon. Speaker, and pursuant to Articles 10(2)(a), 47, 94, and 118 of the Constitution, the Statutory Instruments Act, and Standing Order 210 of the National Assembly Standing Orders, the Committee on Delegated Legislation invited the Director-General of the Public Procurement Regulatory Authority (PPRA) to appear before it on 14th August, 2025 for consideration of the Circular. Subsequently, the Committee held a sitting on the same day, within Parliament Buildings, with representatives from the Public Procurement Regulatory Authority to deliberate on the contents and implications of the Circular.

2.2 Object and Purpose of the Circular

13. The object and purpose of the Circular was to enforce compliance with the mandatory use of the electronic government procurement system (E-GPS) by all public procuring entities.

2.3 Legislative Context

14. Section 2 of the *Public Procurement and Asset Disposal Act (Cap. 412C)* defines “e-procurement” as the process of procurement using an electronic medium, such as the internet or other information and communication technologies. Similarly, regulation 2 of the *Public Procurement and Asset Disposal Regulations (Legal Notice No. 69 of 2020)* defines e-procurement as a system or technology used to automate the internal and external processes

associated with supply chain management, including strategic sourcing, purchasing, and inventory management of goods, works, and services. Furthermore, Regulation 2 defines an “e-tender” as an electronic bid submitted by a candidate to a procuring entity for the supply of goods, works, or services.

15. Section 64(2) of the Public Procurement and Asset Disposal Act provides that –

*Information and Communication Technologies (ICT) **may** be used in procurement and asset disposal proceedings as prescribed with respect to—*

- (a) publication of notices;*
- (b) submission and opening of tenders;*
- (c) tender evaluation;*
- (d) requesting for information on the tender or disposal process;*
- (e) dissemination of laws, regulations and directives;*
- (f) digital signatures; or*
- (g) as may be prescribed by regulations.*

16. Regulation 49 of the Public Procurement and Asset Disposal Regulations provides that –

(1) The National Treasury when designing and managing an efficient procurement management system as envisaged under section 7(2)(c) and in accordance with section 64(2) of the Act, shall ensure that the system is interfaced with the State Portal in respect of—

- (a) procurement planning;*
- (b) registration of suppliers;*
- (c) publication of notices;*
- (d) submission and opening of tenders;*
- (e) tender evaluation;*
- (f) requesting for information on tender or disposal process;*
- (g) dissemination of laws, regulations, directives and circulars;*
- (h) digital signatures;*
- (i) publication of tender awards;*
- (j) notification and acceptance of tender awards;*
- (k) administrative review of tender disputes;*

- (l) publication of contract awards;*
- (m) requisition;*
- (n) invoicing;*
- (o) generation of orders;*
- (p) termination or cancellation of procurement proceedings; and*
- (q) any other as may be specified by the Cabinet Secretary.*

(2) The conduct of e-procurement procedures for the supply of goods, works and services shall be carried out by a procuring entity using an e-procurement system which is integrated to the State Portal.

(3) The e-procurement system referred to in paragraph (2) shall—

- (a) allow electronic exchange of documents between a procuring entity and suppliers; and*
- (b) allow the management of the qualification process, the updating of supplier lists and the evaluation of suppliers.*

17. Section 77(1) of the Act, on the submission of tenders, states that –

(1) Submission of tender documents whether in electronic or manual form, shall be in writing, signed and in the case of manual submission, they shall be sealed in an envelope.

18. On procurement methods, Section 92(1) of the Act provides that –

Subject to this Act and prescribed provisions, an accounting officer of a procuring entity shall procure goods, works or services by a method which may include any of the following—

- (a) open tender;*
- (b) two-stage tendering;*
- (c) design competition;*
- (d) restricted tendering;*
- (e) direct procurement;*
- (f) request for quotations;*
- (g) electronic reverse auction;*
- (h) low value procurement;*
- (i) force account;*
- (j) competitive negotiations;*
- (k) request for proposals;*

(l) framework agreements; and

(m) any other procurement method and procedure as prescribed in regulations and described in the tender documents.

19. Section 7(2)(f) of the Act empowers the National Treasury to –

carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments including state corporations and other government agencies.

20. Section 8 of the Act establishes the Public Procurement Regulatory Authority, while Section 9 of the Act outlines its functions, including to enforce any standards developed under the Public Procurement and Asset Disposal Act.

2.5 Summary of the Content of the Circular

21. In paragraph 1, the Authority reminds all Accounting Officers that any attempt to circumvent government directives constitute an offense and shall be liable to the penalties under the Public Procurement and Assets Disposal Act, Cap 412C.

22. In paragraph 2, the Authority states that effective 1st July, 2025, all public procurement and asset disposal transactions should be conducted through the E-GPS, and any procurements done outside the system and paid for shall be surcharged on the officer who authorizes the transaction.

23. In paragraph 3, the Authority notes that as communicated through PPRA Circular No. 02/2025, effective 1st July 2025, all procurement opportunities are to be processed through the E-GPS. As such, procuring entities are required to cease publishing new tender opportunities on the Public Procurement Information Portal (PPIP).

24. In paragraph 4, the Authority notifies all Accounting Officers that the Authority has a comprehensive record of all procurement proceedings uploaded to the PPIP by close of the Financial Year 2024/2025. In that regard, the Authority refers to National Treasury Circular of 23rd July 2025 which guides that for the existing contracts to be approved for payment, only those duly reported to PPRA in compliance with PPRA Circular No. 04/2022 dated 1st July 2022 on Mandatory Reporting Requirements by Procuring Entities, shall be processed.

25. In paragraph 5, the Authority noted that the Accounting Officer bears the duty and responsibility of safeguarding public resources. Further, an accounting officer should ensure that all procurements are conducted in a manner that is fair, equitable, transparent, competitive, and cost-effective in accordance with Article 227 of the Constitution and in compliance with the Act and any other directives and Circulars issued by the National Treasury and PPRA pursuant to Sections 7 and 9 of the Act.

3.0 SUBMISSIONS TO THE COMMITTEE ON DELEGATED LEGISLATION FROM THE PUBLIC PROCUREMENT REGULATORY AUTHORITY

26. The Committee on Delegated Legislation met the Public Procurement Regulatory Authority on 14th August, 2025, within Parliament Buildings, where the Authority submitted as follows –

- a) The Office of the President vide Circular Ref. OP/CAB.6/2A dated 5th June 2025, and the National Treasury vide Circular Ref. NT/PPD/1/3/14 Vol. VI dated 26th March 2025 communicated the decision to transition to, and roll out, an *End-to-End Electronic Government Procurement System (E-GPS)* with effect from 1st July 2025.
- b) In compliance with Section 9 of the Public Procurement and Asset Disposal Act, PPARA, vide *Circular No. 02/2025* of 17th June, 2025 on the integration of the Public Procurement Information Portal with the E-GPS, and *Circular No. 03/2025* of 27th June, 2025 on the processing of framework agreements and framework contracts during the transition, issued guidelines to facilitate the transition. Additionally, the National Treasury, vide *Circular Ref. NT/PPD/1/3/14 TY. On 3(68) dated 23rd July 2025, after considering the challenges raised by procuring entities, comprehensive guidelines were issued* to support their transition to E-GPS.
- c) Despite these measures, some procuring entities continued to source goods and services outside the E-GPS platform. In contrast, others sought to circumvent the system by retroactively recording procurements through backdated proceedings to dates before June 30, 2025. Consequently, the Authority issued *Circular No. 04/2025* on the enforcement of compliance with the mandatory use of the E-GPS by all public procuring entities.
- d) The transition to electronic procurement had been initiated by the National Treasury pursuant to Section 7(2)(f) of the Public Procurement and Asset Disposal Act.
- e) The mandate of the Authority under Section 9(1)(c) of the Public Procurement and Asset Disposal Act is limited to monitoring compliance and enforcing circulars issued by the National Treasury, which is the body mandated to formulate procurement policies; and
- f) The Circular was intended solely to enforce the directives issued by the Office of the President and the National Treasury, and the Authority did not introduce any new

directives.

3.1 Committee on Delegated Legislation Observations

27. While tabling the said report, the Chairperson of the Committee on Delegated Legislation, Hon. Samuel Chepkong'a, had further stated that, pursuant to the provisions of Section 18 of the Statutory Instruments Act, Cap. 2A, sought the House to annul in its entirety the Public Procurement Regulatory Authority Circular on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities, published as Circular No. 04/2025, for the following reasons: —

- (i) Contravention of Articles 2 (1) & (2), 10, 27(2), 94(5) and 227 of the Constitution relating to supremacy of the Constitution; the national values and principles of governance including public participation, transparency and accountability; equality including enjoyment of all rights and fundamental freedoms; power to make provisions having the force of law and contracting for goods or services with a system that is fair, equitable, transparent, competitive and cost-effective,
- (ii) Contravention of Article 27(1) of the Constitution recognizes that every person is equal before the law and has the right to equal protection and equal benefit of the law. Furthermore, Article 27(2) of the Constitution defines equality as encompassing the full and equal enjoyment of all rights and fundamental freedoms. Article 27(3) of the Constitution provides that women and men have the right to equal treatment, including equal opportunities in all spheres: political, economic, cultural, and social. Compelling tenderers dealing with the accounting officers mentioned in the Circular to accommodate only e-procurement may occasion an unfair advantage for those who do not have the facilities and equipment required for e-tendering and e-procurement.
- (iii) Contravention of Sections 9 and 77 of the Public Procurement and Asset Disposal Act, Cap. 412C relating to the function of the Authority, which does not extend to creating binding obligations and the recognition that tender submissions may be made in either manual or electronic form,

- (iv) Contravention of Sections 2, 6, 11, 13, 22 and 24 of the Statutory Instruments Act, Cap. 2A relating to the interpretation of a statutory instrument; submission of a regulatory impact statement on each statutory instrument; requirement for publication and tabling of a statutory instrument before Parliament; and exercise of powers in making statutory instruments. Contrary to section 5 of the Statutory Instruments Act, which requires the regulation-making authority to make appropriate consultations with persons who are likely to be affected by the proposed instrument, especially where the instrument is likely to have a direct or a substantially indirect effect on businesses, there is no demonstration that the Authority conducted public participation.
- (v) Contravention of section 6 of the Statutory Instruments Act, requiring the regulation-making authority to prepare a regulatory impact statement about the instrument if the proposed statutory instrument is likely to impose significant costs on the community or a part of the community, the Authority did not prepare a regulatory impact statement about the Circular, and neither was there any demonstration of having done as required by law.
- (vi) Contravention of section 11(1) of the Statutory Instruments Act requiring the Cabinet Secretary responsible for a regulation-making authority to transmit a copy of the instrument to the responsible Clerk for tabling before the relevant House within seven (7) sitting days after the publication of the instrument, there is no demonstration that the Cabinet Secretary for the National Treasury and Economic Planning published and transmitted the Circular to the Clerk of the National Assembly within seven (7) sitting days for tabling in the House,
- (vii) Contravention of Section 13(c) of the Statutory Instruments Act, which requires the Committee to consider whether a statutory instrument contains a matter which, in the opinion of the Committee, should be dealt with in an Act of Parliament, the Circular contains matters which amount to amending the Public Procurement and Asset Disposal Act,

- (viii) Contravention of Section 13(f) of the Statutory Instruments Act which requires the Committee to consider whether a statutory instrument gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power, the Circular directs that only contracts recorded in the Public Procurement Information Portal by 30th June, 2025, would be honoured for payment, penalizing procuring entities for omissions that occurred before the circular was issued, given that the reporting deadline had already passed by the time the Circular was issued.
- (ix) Contravention of Section 13(h) of the Statutory Instruments Act which requires the Committee to consider whether a statutory instrument is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation, the Circular does not cite the enabling provision of the Act that they are invoking, lacks an enactment clause, and the drafting style is inconsistent with the jurisdictional conventional drafting style generally applied by the Office of the Attorney General in preparing subsidiary legislation,
- (x) Contravention of Section 13(i) of the Statutory Instruments Act which requires the Committee to consider whether a statutory instrument appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made, section 7 of the Public Procurement and Asset Disposals Act only confer the power to make regulations to the Cabinet Secretary and not to the Director General of the Authority to issue circulars with punitive consequences to the accounting officers in both national and county governments,
- (xi) Contravention of Section 13(k) and (l) of the Statutory Instruments Act which requires the Committee to consider whether a statutory instrument makes rights, liberties or obligations unduly dependent upon non-reviewable decisions, and whether it makes rights, liberties or obligations unduly dependent on insufficiently defined administrative powers, the Circular was to be implemented without fail on the 1st July, 2025 without any recourse as to review or appeal mechanisms for failure to comply,
- (xii) Contravention of Section 13(n) of the Statutory Instruments Act which requires the Committee to consider whether a statutory instrument imposes a fine, imprisonment

or other penalty without express authority having been provided for in the enabling legislation, paragraph 1 of the Circular subjects the accounting officers who fail to comply with the Circular to a fine not exceeding four million shilling or a prison term not exceeding ten years, and paragraph 2 of the Circular imposes a surcharge on the officers for payments made for procurements outside the system. The Committee noted that the Public Procurement and Asset Disposal Act does not confer on either the Director-General or the Authority any powers to impose a fine.

- (xiii) Contravention of Section 13(o) of the Statutory Instruments Act, which requires the Committee to consider whether a statutory instrument appears for any reason to infringe on the rule of law, the Circular violates the provisions of the Constitution, the Public Procurement and Asset Disposal Act, the Statutory Instruments Act, the Interpretation and General Provisions Act and the principles of natural justice.
- (xiv) Contravention of Section 22(1) of the Statutory Instruments Act, which requires every statutory instrument to be published in the Gazette, to be assigned a serial number as of the year in which it is made, which should be printed on the face of the statutory instrument; and
- (xv) Contravention of Section 24(5) of the Statutory Instruments Act, which provides that there may be annexed to the breach of a statutory instrument a penalty, not exceeding one million shillings or such term of imprisonment not exceeding six months, or both, which the regulation-making authority may think fit. The Circular refers to the Public Procurement and Asset Disposal Act, which provides for a fine not exceeding four million shillings or a jail term not exceeding ten years, and further imposes a surcharge on accounting officers, contrary to section 24(5) of the Act.

4.0 SUBMISSIONS TO THE COMMITTEE ON IMPLEMENTATION BY THE CABINET SECRETARY, NATIONAL TREASURY AND ECONOMIC PLANNING AND THE PUBLIC PROCUREMENT REGULATORY AUTHORITY

28. The Committee on Implementation held a meeting with the Cabinet Secretary, The National Treasury and Economic Planning and the Director General, Public Procurement Regulatory Authority on 18th September, 2025, within Parliament Buildings. He was accompanied by Mr. Patrick K. Wanjuki, Director General, Public Procurement and Regulatory Authority (PPRA).

29. The Cabinet Secretary submitted as follows:

- i) Article 201 of the Constitution envisions a transparent procurement system and outlines the principles of Public Financial Management. Among these principles is the demand for an open, transparent and accountable system that includes public participation. The National Treasury, the agency behind the circular for mandatory transition to e-procurement, is contemplated under Article 225, which requires Parliament to enact legislation to establish it and prescribe a mechanism for expenditure controls and transparency across all government levels.
- ii) Parliament enacted the Public Finance Management Act of 2012 to fulfil the requirements of Chapter 12. Section 11 of the Act establishes the National Treasury, with Part III detailing its general responsibilities, powers, and those of the Cabinet Secretary in charge of it. By deed of this part of the law, all executive powers in the administration of public resources, and the designation of Accounting Officers in fulfilment of Article 226, vest in the Cabinet Secretary in charge of the Treasury.
- iii) Article 227(1) of the Constitution states that:
“When a State organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective;
- iv) In compliance with Article 227 of the Constitution, Parliament enacted the Public Procurement and Asset Disposal Act, 2015 (the Act), along with its attendant Regulations of 2020.
- v) Section 64 (2) of the Act, as read together with Regulations 49, states that:
“*Information and Communication Technologies (ICT) may be used in procurement and asset disposal proceedings as prescribed with respect to—*

- a) *publication of notices;*
- b) *submission and opening of tenders;*
- c) *tender evaluation;*
- d) *requesting for information on the tender or disposal process;*
- e) *dissemination of laws, regulations and directives;*
- f) *digital signatures; or*
- g) *as may be prescribed by regulations.”*

Further, Section 7 (2) (c) and (f) of the Act states as follows:

*In the performance of its role under subsection (1), the National Treasury shall—
(c) design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution:*

Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government;

(f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments including state corporations and other government agencies;

- vi) Regulations 49 to 64 have prescribed the manner in which procurement will be carried out electronically, from annual procurement planning to contract management.
- vii) To implement the provisions of the law that enumerated above, the National Treasury embarked on the implementation of the e-Government Procurement.
- viii) The process began with the development of a strategy for e-GP implementation in 2018.
- ix) The National Treasury, with the assistance of the World Bank, conducted an eProcurement readiness assessment to evaluate the country's readiness and the capabilities of the existing IFMIS system to facilitate electronic public procurement.
- x) The study's findings revealed that the country was ready for an e-procurement system. It is against this background that the e-GP strategy was developed, and it provided for, among others, the following: -

- (a) A Steering Committee, chaired by the Principal Secretary National Treasury to drive e-GP implementation.
 - (b) A Technical Committee comprising membership drawn from MDAs, State Corporations and County Governments to provide technical assistance in the implementation of eGP;
 - (c) Steps in the implementation of the eGP system include: design of the system, development of specifications and business requirements, tendering arrangements, and delivery of the system.
- xi) A vendor was procured to deliver the system in accordance with the requirements of the Public Procurement and Asset Disposal Act, 2015. Following procurement and Contracting, User Acceptance Tests (UAT) were carried out, involving the Technical Committee and select Procuring Entities.
- xii) Furthermore, the system was piloted with the following 12 Procuring Entities, which comprise 3 entities. MDAs; 3 No. State Corporations, 3No. Oversight bodies, 3 No. County Governments: -
- a) The National Treasury
 - b) State Department for ICT
 - c) State Department for Public Service
 - d) Office of the Auditor General
 - e) Kenya Electricity Generating Company
 - f) Kenya National Highways Authority
 - g) Moi Teaching and Referral Hospital
 - h) Ethics and Anti-Corruption Commission
 - i) Public Procurement and Regulatory Authority
 - j) Makueni County (Executive)
 - k) Elgeyo Marakwet County (Executive)
 - l) Busia County (Executive)
- xiii) To give urgency and support in the implementation, H.E. Excellency the President in His State of the Nation Address on 21st November, 2024, directed the National Treasury to roll out the eGP system by the first quarter of 2025;

- xiv) Further, during the budget statement 2025/2026, the Cabinet Secretary for The National Treasury and Economic Planning indicated that as from 1st July, 2025 the National Treasury will roll out the eGP system, where all entities will migrate to the online procurement system;
- xv) The Cabinet, in its 4th meeting of 24th June, 2025, directed that eGP shall be the primary means of procurement in all Government transactions.
- xvi) The implementation and use of the e-GP system will result in reduced cost of goods, works and services: increased transparency in procurement processes and practices; improved efficiency in procurement by minimizing the procurement cycle time; maximization of value for money; accountability; improved confidentiality, integrity and authenticity of transactions between procuring entities and suppliers; streamlined procurement procedures across the government through standardization of processes and practices; and enhanced procurement information management that will facilitate procurement planning, monitoring, evaluation and reporting;
- xvii) The Cabinet Secretary, National Treasury, issued a circular Ref. No. NT/PPD/1/3/14 Vol VI dated 26th March 2025 directing Accounting Officers to transition to the eGP system w.e.f 1st July, 2025. The Head of Public Service vide Circular No. OP/CAB.6/2A dated 5th June 2025 also reiterated the need for all Procuring Entities to onboard into the eGP system.
- xviii) As part of the rollout, the National Treasury carried out the following:
 - a) A massive registration exercise of all Procuring Entities and Suppliers;
 - b) Training of users of the eGP system from all Procuring Entities;
 - c) Training of suppliers;
 - d) issued more circulars for ease of implementation of the eGP system by Procuring Entities; and
 - e) A help desk is set up on the 4th floor of KISM Towers to support PEs across the country.

- xix) The Public Procurement Regulatory Authority (PPRA) is mandated to enforce standards and directives with respect to the Act, Regulations and existing policies regarding Public Procurement. This is in line with Section 9(c) of the Act, which states that: -The functions of the Authority shall be to enforce any standards developed under this Act;
- xx) Pursuant to the above provision of the Act, the PPRA issued Circular No 04/2025 on the enforcement of Compliance with the mandatory use of the electronic Government Procurement system by all Procuring Entities, reiterating the need for them to onboard into the eGP system.
- xxi) The circular issued by PPRA was the subject of debate in Parliament, which led to its annulment.
- xxii) The following is the status of the implementation of the eGP system:
 - a) Procuring Entities Registered – 1,379
 - b) Suppliers Registration- 10,000
 - c) ToTs Supporting Rollout of the system – 140
 - d) Persons Trained from various Procuring Entities – over 14,000 No PFM and users.
- xxiii) As directed by the Government Policy on digitization as an enabler of, among others, the Bottom-Up Transformation Agenda (BETA), the National Treasury will continue to implement this key reform agenda.
- xxiv) In the spirit of Stakeholder engagement in the rollout of eGP, a meeting was held by National Treasury officers with the NG-CDF management and NGAAF officers, where the following was agreed upon for effective implementation concerning CDF procurement in the eGP system;
 - a) The need for Capacity Building of Members of Parliament, Fund Managers and Staff of NG-CDF and NGAAF – The National Treasury shall undertake the capacity building and provide the support to the two institutions.
 - b) The need for Stakeholder Engagement when rolling out eGP – The National Treasury will continue engaging MPs, and users of the system for effective implementation;

- c) The need for the system to have visibility for Members of the Public, and Fund managers- The system is open for oversight by the public, MPS and Oversight bodies;
- d) Flexibility of the system – The system is flexible enough to allow amendments of Annual Procurement Plans when emergencies arise.
- e) The need for locals will benefit in CDF-related procurements – The system accommodates preferences and reservations during procurement planning and implementation; and
- f) System availability in remote parts of the country – the EGP system is web-based, which allows mobile service providers to have reach.

5.0 COMMITTEE OBSERVATIONS

30. Having examined the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, and having considered the responses provided by the Cabinet Secretary, The National Treasury and Economic Planning regarding the implementation status and conformity with the Constitution, the Public Procurement and Asset Disposal Act, the Interpretation and General Provisions Act (Cap. 2), and the Statutory Instruments Act (Cap. 2A), the Committee observed as follows:—

1. That by a Resolution of the House through adoption of the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, the House annulled **Circular No. 04 of 2025** of 12th August 2025;
2. That the annulment of **Circular No. 04 of 2025** of 12th August 2025 by the House did not take cognizance of the fact that enforcement of compliance with the mandatory use of the Electronic Government Procurement System (E-GPS) by all public procuring entities could still proceed by way of a Cabinet directive in its 4th meeting of 24th June, 2025 stating that eGP shall be the primary means of procurement in all Government transactions, further, the House did not annul two previous circulars: Circular Ref. No. NT/PPD/1/3/14 Vol VI by the Cabinet Secretary, The National Treasury and Economic Planning dated 26th March 2025, directing Accounting Officers to transition to the eGP system with effect from 1st July, 2025; and Circular No. OP/CAB.6/2A dated 5th June 2025 from The Head of Public Service reiterating the need for all Procuring Entities to onboard into the eGP system;
3. That while Article 227(1) of the Constitution requires a state organ or any other public entity that contracts for goods or services, to do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective. Circular No. 04 of 2025, dated 12th August 2025, titled “Enforcement of Compliance with the Mandatory Use of the

Electronic Government Procurement System (E-GPS) by all public procuring entities”, makes it mandatory that all procurements should be made in electronic form. This will disadvantage procurers and the general public, many of whom may face challenges in onboarding, such as geographical remoteness, limited internet penetration, grid electricity connection issues, and technological difficulties.

4. That while Section 64 (2) of the Public Procurement and Asset Disposal Act as read together with Regulations 49 outlines that Information and Communication Technologies (ICT) may be used (optional) in public procurement and asset disposal proceedings, Section 77(1) of the Public Procurement and Asset Disposal Act recognizes that submission of tenders may be made in electronic or manual form, should be in writing, signed and in the case of manual submission, they should be sealed in an envelope;

However, Section 7 (2) (c) and (f) of the Act states as follows:

In the performance of its role under subsection (1), the National Treasury shall—

(c) design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution: Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government; (f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments, including state corporations and other government agencies; This gives the Cabinet Secretary for The National Treasury powers to prescribe which option public procurement entities must use.

5. That the Cabinet Secretary usurped the legislative powers of the National Assembly as duly elucidated under Article 94(5) of the Constitution of Kenya, which states that: *No person or body, other than Parliament, has the power to make provision having the force of law in Kenya except under authority conferred by this Constitution or by legislation. The Cabinet Secretary acted ultra vires by issuing the highlighted circular.* The Committee noted that to address this issue, the Ministry should either amend the previous circulars that had been issued or revoke them. Furthermore, introduce an amendment to Section 77(1) of the Public Procurement and Asset Disposal Act, Cap. 412C deletes the provision of manual procurement.
6. Although the Government of Kenya decided to roll out the e-procurement system (eGP) as early as 2018, the system, jointly run by a Kenyan and an Indian firm, was procured in April 2022 for Kshs. **387,567,570**. The Committee took note that the Cabinet Secretary submitted the documents of the Company in question behind the system.
7. That entities with their own e-procurement systems, like Kenya Pipeline and KENGEN, would be exempted once the Cabinet Secretary approves onboarding the eGP, provided their systems are found to be sufficiently tamper-proof; and
8. That procurements from funds appropriated in the Financial Year 2024/2025, but disbursed late, such as NG-CDF, NGAAF, and County Governments, would be exempt since the system was configured to process procurements starting from July 1, 2025.
9. Furthermore, upon tabling and adoption of this report, the Cabinet Secretary, The National Treasury and Economic Planning will issue a circular with clear timelines and a staggered approach, introducing a clear transition period during which both e-GP and manual procurement will operate in parallel. It is essential that, before the beginning of the second half of FY 2025/26 in January 2026, these transitional measures are formally communicated. This will assure accounting officers that they will not face surcharges or sanctions for temporarily using alternative procedures.
10. The Act came into force on 7th January 2016, but does not have regulations specifically for electronic procurement.

6.0 COMMITTEE RECOMMENDATIONS

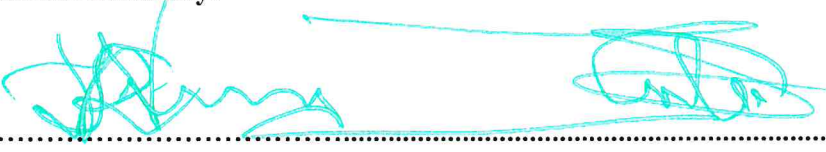
31. Having examined the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, and having considered the responses provided by the Cabinet Secretary, The National Treasury and Economic Planning and Public Procurement Regulatory Authority (PPRA) regarding the implementation status and conformity with the Constitution, the Public Procurement and Asset Disposal Act, (Cap.412C) the Interpretation and General Provisions Act (Cap. 2), and the Statutory Instruments Act (Cap. 2A), the Committee recommends as follows:—

1. That, having considered the contents of the following circulars,
 - a) Circular Ref. No. NT /PPD/1/3/14 Vol VI by the Cabinet Secretary, the National Treasury and Economic Planning dated 26th March 2025, directing Accounting Officers to transition to the eGP system with effect from 1st July 2025; and
 - b) Circular No. OP/CAB.6/2A dated 5th June 2025 from the Head of Public Service reiterating the need for all Procuring Entities to onboard into the eGP system, which occasioned the issuance of Circular No. 04 of 2025.

The Committee concurs with the annulment of *Circular No. 04 of 2025* of 12th August 2025 by the House. **Further, the Committee recommends that the House declares the above Circulars (a & b) a nullity, as they create ultra vires provisions which were in contravention of Article 227 of the Constitution, and Section 77(1) of the Public Procurement and Assets Disposal Act, Cap. 412C.**

2. **The Committee notes that monies appropriated in the financial year 2024/2025 have been disbursed. The Committee recommends that the implementation of projects for the financial year 2024/2025 proceeds according to the approved procurement plans, in strict compliance with the provisions of Section 77(1) of the Public Procurement and Asset Disposal Act. This section permits the use of both manual and electronic procurement methods, ensuring flexibility and efficiency in the procurement process.**
3. **The Committee recommends that, henceforth, the Cabinet Secretary, The National Treasury and Economic Planning, submits Regulations to accompany any new**


Circular on the Electronic Government Procurement System for consideration by the National Assembly.

Signed.....

HON. RAPHAEL BITTA SAUTI WANJALA, CBS, M.P

(CHAIRPERSON)

Date.....14th Oct. 2025

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 14 OCT 2025	DAY: Tuesday
TABLED BY:	Hon. Raphael Wanjala (Chairperson, Committee on Implementation)
CLERK AT THE TABLE:	Shibuko

ADOPTION LIST



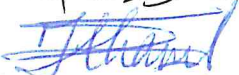
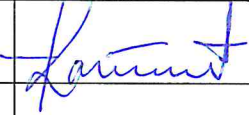

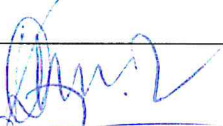
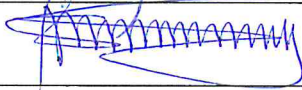


PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY
COMMITTEE ON IMPLEMENTATION
Adoption Schedule

FOURTH REPORT ON THE IMPLEMENTATION STATUS OF THE REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR ON THE ENFORCEMENT OF COMPLIANCE WITH THE MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES (CIRCULAR NO. 04/2025)

We, the undersigned Members of the Committee on Implementation, have pursuant to Standing Order 199 adopted today, 9th/10/2025, and do hereby affix our signatures to this **FOURTH REPORT ON THE IMPLEMENTATION STATUS OF THE REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR ON THE ENFORCEMENT OF COMPLIANCE WITH THE MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES (CIRCULAR NO. 04/2025)** to affirm our approval and confirm its accuracy, validity, and authenticity: -

No.	NAME	SIGNATURE
1.	The Hon. Raphael Bitta Sauti Wanjala, CBS, MP – Chairperson	
2.	The Hon. Rose Museo Mumo, CBS, MP – Vice Chairperson	
3.	The Hon. Mohamed Ali Mohamed, CBS, MP	
4.	The Hon. Mark Samuel Muriithi Mwenje, MP	
5.	The Hon. Mbalu, Jessica Nduku Kiko, CBS, MP	
6.	The Hon. Johnson Many Naicca, CBS, MP	
7.	The Hon. Elijah Memusi Kanchory, MP	
8.	The Hon. Hilary Arap Kosgei, MP	
9.	The Hon. Nicholas Ng'ikor Nixon Ngikilong, MP	
10.	The Hon. Charles Gumini Gimose, MP	

<u>No.</u>	NAME	SIGNATURE
11.	The Hon. Siyoi Lillian, MP	
12.	The Hon. Abdul Ebrahim Haro, MP	
13.	The Hon. Cynthia Jepkosgei Muge, MP	
14.	The Hon. Julius Taitumu M'Anaiba, MP	
15.	The Hon. Hamisi Kakuta Maimai, MP	
16.	The Hon. Chepkwony, Charity Kathambi, M.P	
17.	The Hon. Zamzam Mohamed Chimba, MP	
18.	The Hon. Rael Chepkemai Kasiwai, MP	
19.	The Hon. Chege Njuguna, MP	
20.	The Hon. Kitilai Ole Ntutu, MP	
21.	The Hon. Komingoi Kibet Kirui, MP	

MINUTES

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MINUTES OF THE 59TH SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON THURSDAY, 9TH OCTOBER, 2025 AT THE COMMITTEE ROOM ON 3RD FLOOR, ROOM 20, BUNGE TOWERS, BUILDING AT 10:00 AM

PRESENT

1. The Hon. Raphael Bitta Sauti Wanjala, CBS, M.P - **Chairperson**
2. The Hon. Mark Samuel Muriithi Mwenje, M.P
3. The Hon. Johnson Manya Naicca, CBS, M.P
4. The Hon. Hilary Arap Kosgei, MP
5. The Hon. Komingoi Kibet Kirui, M.P
6. The Hon. Siyoi Lillian, M.P
7. The Hon. Julius Taitumu M'Anaiba, M.P
8. The Hon. Hamisi Kakuta Maimai, M.P
9. The Hon. Rael Chepkemoi Kasiwai, M.P
10. The Hon. Cynthia Jepkosgei Muge, M.P
11. The Hon. Kitilai Ole Ntutu, M.P

APOLOGIES

1. The Hon. Rose Museo Mumo, CBS, M.P- **Vice Chairperson**
2. The Hon. Mbalu, Jessica Nduku Kiko, CBS, M.P
3. The Hon. Abdul Ebrahim Haro, M.P
4. The Hon. Mohamed Ali Mohamed, CBS, M.P
5. The Hon. Nicholas Ng'ikor Nixon Ngikilong, M.P
6. The Hon. Charles Gumini Gimose, M.P
7. The Hon. Zamzam Mohamed Chimba, M.P
8. The Hon. Chepkwony Charity Kathambi, M.P
9. The Hon. Chege Njuguna, M.P
10. The Hon. Elijah Memusi Kanchory, M.P

NATIONAL ASSEMBLY SECRETARIAT

- | | |
|--------------------------|--------------------|
| 1. Mr. Abdiaziz Shobay | - Clerk Assistant |
| 2. Mr. Mark Namaswa | - Clerk Assistant |
| 3. Ms. Catherine Mukunyi | - Sergeant at Arms |
| 4. Mr. James Macharia | - Media Officer |
| 5. Ms. Mercy Ondego | - Researcher |
| 6. Ms. Shamsa Ahmed | - Researcher |
| 7. Mr. Douglas Maraga | - Intern |

MIN. NO. NA /DAA & GPC/COI/2025/322: PRELIMINARIES

The Chairperson called the meeting to order at half past 10:00 am followed by a word of prayer by The Hon. Mark Mwenje, MP. The agenda of the meeting was adopted as hereunder as proposed by Hon. Johnson Manya Naicca, CBS, MP seconded by The Hon. Komingoi Kibet Kirui, MP.

AGENDA:

1. Preliminaries
 - i) Prayers
 - ii) Introductions
 - iii) Adoption of the Agenda

- iv) Confirmation of Minutes
- 2. Substantive Agenda: **Consideration and Adoption of the Report of the Committee on Delegated Legislation on its consideration of the Public Procurement Regulatory Authority Circular No. 04/2025 on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities in contravention of section 77 of the Public Procurement and Asset Disposal Act, Cap. 412C**
- 3. Any other business

MIN. NO.NA/DAA & GPC/COI/2025/323: CONFIRMATION OF MINUTES

Minutes of the previous meetings were confirmed as follows:

53rd Sitting

Minutes of the 53rd Sitting were confirmed as a true record of the proceedings as proposed by The Hon. Siyoi Lillian, MP and seconded by The Hon. Rael Chepkemai Kasiwai, MP.

54th Sitting

Minutes of the 54th Sitting were confirmed as a true record of the proceedings as proposed by The Hon. Hilary Arap Kosgey, MP and seconded by The Hon. Siyoi Lillian, MP.

55th Sitting

Minutes of the 55th Sitting were confirmed as a true record of the proceedings as proposed by The Hon. Komingoi Kibet Kirui, MP seconded by The Hon. Siyoi Lillian, MP.

MIN. NO.NA/DAA& GPC/COI/2025/324: CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON ITS CONSIDERATION OF THE PUBLIC PROCUREMENT REGULATORY AUTHORITY CIRCULAR NO. 04/2025 ON THE ENFORCEMENT OF COMPLIANCE WITH THE MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS) BY ALL PUBLIC PROCURING ENTITIES IN CONTRAVENTION OF SECTION 77 OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, CAP. 412C

The Report on Consideration of The Public Procurement Regulatory Authority Circular on The Enforcement of Compliance with The Mandatory Use of The Electronic Government Procurement System (E-GPS) By All Public Procuring Entities (Circular No. 04/2025) was adopted as proposed by the Hon. The Hon. Komingoi Kibet Kirui, M.P seconded by The Hon. Hilary Arap Kosgey, M.P.

The Committee Report recommended as follows:

Having examined the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, and having considered the responses provided by the Cabinet Secretary, The National Treasury and Economic Planning and Public Procurement Regulatory Authority (PPRA) regarding the implementation status and conformity with the Constitution, the Public Procurement and Asset Disposal Act, (Cap. 412C) the Interpretation and General Provisions Act (Cap. 2), and the Statutory Instruments Act (Cap. 2A), the Committee recommends as follows:—

1. That, having considered the contents of the following circulars,
 - a) Circular Ref. No. NT /PPD/1/3/14 Vol VI by the Cabinet Secretary, the National Treasury and Economic Planning dated 26th March 2025, directing Accounting Officers to transition to the eGP system with effect from 1st July 2025; and
 - b) Circular No. OP/CAB.6/2A dated 5th June 2025 from the Head of Public Service reiterating the need for all Procuring Entities to onboard into the eGP system, which occasioned the issuance of Circular No. 04 of 2025.The Committee concurs with the annulment of *Circular No. 04 of 2025* of 12th August 2025 by the House. **Further, the Committee recommends that the House declares the above Circulars (a & b) a nullity, as they create ultra vires provisions which were in contravention of Article 227 of the Constitution, and Section 77(1) of the Public Procurement and Assets Disposal Act, Cap. 412C.**
2. The Committee notes that monies appropriated in the financial year 2024/2025 have been disbursed. The Committee recommends that the implementation of projects for the financial year 2024/2025 proceeds according to the approved procurement plans, in strict compliance with the provisions of Section 77(1) of the Public Procurement and Asset Disposal Act. This section permits the use of both manual and electronic procurement methods, ensuring flexibility and efficiency in the procurement process.
3. The Committee recommends that, henceforth, the Cabinet Secretary, The National Treasury and Economic Planning, submits Regulations to accompany any new Circular on the Electronic Government Procurement System for consideration by the National Assembly.

MIN. NO.NA/DAA& GPC/COI/2025/325: ANY OTHER BUSINESS

No other business arose

MIN. NO.NA/DAA & GPC/COI/2025/326: ADJOURNMENT

There being no other business, the meeting was adjourned at 11:56 a.m.

Signed.....

Hon. Raphael Bitta Sauti Wanjala, CBS, M.P

(CHAIRPERSON)

Date.....

MINUTES OF THE 54TH SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON THURSDAY, 18TH SEPTEMBER, 2025 AT THE COMMITTEE ROOM ON 3RD FLOOR, ROOM 18/19, BUNGE TOWERS, BUILDING AT 10:00 AM

PRESENT

1. The Hon. Raphael Bitta Sauti Wanjala, CBS, M.P- **Chairperson**
2. The Hon. Mark Samuel Muriithi Mwenje, M.P
3. The Hon. Hilary Arap Kosgei, MP
4. The Hon. Siyoi Lillian, M.P
5. The Hon. Chepkwony Charity Kathambi, M.P

APOLOGIES

1. The Hon. Rose Museo Mumo, CBS, M.P- **Vice Chairperson**
2. The Hon. Mohamed Ali Mohamed, CBS, M.P
3. The Hon. Mbalu, Jessica Nduku Kiko, CBS, M.P
4. The Hon. Johnson Many Naicca, CBS, M.P
5. The Hon. Nicholas Ng'ikor Nixon Ngikilong, M.P
6. The Hon. Charles Gumini Gimose, M.P
7. The Hon. Hamisi Kakuta Maimai, M.P
8. The Hon. Abdul Ebrahim Haro, M.P
9. The Hon. Cynthia Jepkosgei Muge, M.P
10. The Hon. Julius Taitumu M'Anaiba, M.P
11. The Hon. Zamzam Mohamed Chimba, M.P
12. The Hon. Komingoi Kibet Kirui, M.P
13. The Hon. Chege Njuguma, M.P
14. The Hon. Elijah Memusi Kanchory, M.P
15. The Hon. Rael Chepkemai Kasiwai, M.P
16. The Hon. Kitilai Ole Ntutu, M.P

IN ATTENDANCE

The Hon. Maurice Kakai Bisau, M.P

NATIONAL ASSEMBLY SECRETARIAT

- | | | |
|--------------------------|---|---------------------------------|
| 1. Ms. Lucy Kimathi | - | Principal Clerk Assistant I/HoD |
| 2. Mr. Abdiaziz Shobay | - | Clerk Assistant I |
| 3. Mr. Mark Namaswa | - | Clerk Assistant II |
| 4. Ms. Catherine Mukunyi | - | Sergeant at Arms |
| 5. Ms. Mercy Ondego | - | Researcher |
| 6. Ms. Shamsa Ahmed | - | Researcher |
| 7. Mr. Douglas Maraga | - | Intern |

THE NATIONAL TREASURY

1. Hon. FCP John Mbadi Ng'ongo, EGH – CS, National Treasury
2. Mr. Eric Korir -Director of Public Procurement, National Treasury
3. Mr. George Yogo - P. A to CS TNT
4. Mr. Lawrence K. Kanyinyi - National Treasury
5. Mr. Milford Bett - Parliamentary Liaison
6. Mr. Melvin Mumene - Intern, National Treasury

PUBLIC PROCUREMENT REGULATORY AUTHORITY

1. Mr. Patrick K. Wanjuki - Director General, PPRA

- | | | |
|-------------------------|---|---------------------|
| 2. Mr. Peter K. Ndung'u | - | Director, PPRA |
| 3. Mr. Raphael Ngalatu | - | Legal Officer, PPRA |
| 4. Mr. Adhi Robia | - | PPRA |

MIN. NO. NA /DAA & GPC/COI/2025/301: PRELIMINARIES

The Chairperson called the meeting to order at half past 10:00 am followed by a word of prayer by The Hon. Kathambi, MP. The agenda of the meeting was adopted as hereunder after being proposed by The Hon. Mark Samuel Muriithi Mwenje, MP and seconded by The Hon. Chepkwony Charity Kathambi, MP.

AGENDA:

1. Preliminaries
 - ii) Prayers
 - iii) Introductions
 - iv) Adoption of the Agenda
 - v) Confirmation of minutes
2. Substantive Agenda: **Meeting with the Cabinet Secretary, The National Treasury and the Director General, Public Procurement Regulatory Authority regarding the implementation of recommendations contained in the Report of the Committee on Delegated Legislation on its consideration of the Public Procurement Regulatory Authority Circular No. 04/2025 on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities in contravention of section 77 of the Public Procurement and Asset Disposal Act, Cap. 412C**
3. Any other business

MIN. NO. NA /DAA & GPC/COI/2025/302: MEETING WITH THE CABINET SECRETARY, THE NATIONAL TREASURY AND THE DIRECTOR GENERAL, PUBLIC PROCUREMENT REGULATORY AUTHORITY REGARDING THE IMPLEMENTATION OF RECOMMENDATIONS CONTAINED IN THE REPORT OF THE ON CIRCULAR NO. 04/2025 ON THE MANDATORY USE OF THE ELECTRONIC GOVERNMENT PROCUREMENT SYSTEM (E-GPS)

The Hon. FCP John Mbadi Ng'ongo, EGH Cabinet Secretary, The National Treasury and Economic Planning appeared before the Committee on 18th September, 2025 to apprise it on the implementation status of **the Report of the Committee on Delegated Legislation on its consideration of the Public Procurement Regulatory Authority Circular No. 04/2025 on the enforcement of compliance with the mandatory use of the electronic government procurement system (e-GPS) by all public procuring entities in contravention of section 77 of the Public Procurement and Asset Disposal Act, Cap. 412C.**

He was accompanied by Mr. Patrick K. Wanjuki, Director General, PPRA, Mr. Eric Korir, Director of Public Procurement, National Treasury, Mr. George Yogo, P.A to CS TNT,

Mr. Lawrence K. Kanyinyi, National Treasury, Mr. Milford Bet, Parliamentary Liaison and Mr. Melvin Munene, Intern, National Treasury

The Cabinet Secretary submitted as follows, that: -

- i) Article 201 of the Constitution, contemplates a transparent procurement system and sets forth the principles of Public Finance Management. Among them principles is the demand for an open, transparent and accountable system that includes public participation. The National Treasury, the agency behind the circular for mandatory transition to e-procurement, is contemplated under article 225 that required Parliament to enact a legislation to establish it and prescribe a mechanism for expenditure controls and transparency across all government levels;
- ii) Parliament enacted the Public Finance Management Act of 2012 to fulfil the requirements of Chapter 12. Section 11 of the Act establishes The National Treasury, with Part III of the Act detailing its general responsibilities, powers and those of the Cabinet Secretary in-charge of it. By deed of this part of the law, all executive powers in the administration of public resources, and designation of Accounting Officers in fulfilment of Article 226 vest on the CS in-charge of the Treasury.
- iii) Article 227(1) of the Constitution states that:
“When a State organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective;
- iv) In compliance with Article 227 of the Constitution, Parliament enacted the Public Procurement and Asset Disposal Act, 2015 (the Act) with its attendant Regulations 2020.
- v) Section 64 (2) of the Act as read together with Regulations 49 states that: -
“Information and Communication Technologies (ICT) may be used in procurement and asset disposal proceedings as prescribed with respect to—
 - a) publication of notices;
 - b) submission and opening of tenders;
 - c) tender evaluation;
 - d) requesting for information on the tender or disposal process;
 - e) dissemination of laws, regulations and directives;
 - f) digital signatures; or
 - g) as may be prescribed by regulations.”
- i) Further section 7 (2) (c) and (f) of the Act states as follows:
In the performance of its role under subsection (1), the National Treasury shall—
 - (c) design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution:
Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government;
 - (f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments including state corporations and other government agencies;
- vi) Regulation 49 to 64 has prescribed the manner how procurement will be carried out electronically from annual procurement planning to contract management;
- vii) To implement the provisions of the law that enumerated above, the National Treasury

- embarked on the implementation of the e-Government Procurement;
- viii) It started with development of a strategy on eGP implementation in year 2018. The National Treasury with the assistance of the World Bank carried out an eProcurement readiness assessment to assess the Country's readiness and the capabilities of existing IFMIS system to undertake Public Procurement electronically.
 - ix) The findings of the study revealed that the country was ready for eProcurement system. It is against this background that the eGP strategy was developed and it provided for among others the following: -
 - a) A Steering Committee chaired by Principal Secretary National Treasury to drive eGP implementation;
 - b) A Technical Committee comprising of membership drawn from MDAs, State Corporations and County Governments to provide technical assistance in the implementation of eGP;
 - c) Steps in the implementation of the eGP system which include; Design of the system; development of the specifications and business requirements, tendering arrangements; and delivery of the system,
 - x) A vendor was procured to deliver the system in line with the requirements of the Public Procurement and Asset Disposal Act, 2015, and upon Procurement and Contracting, User Acceptance Tests (UAT) were carried out where the Technical Committee and select Procuring Entities were involved;
 - xi) Further the system was piloted on the following 12 Procuring Entities which comprise 3No. MDAs; 3 No. State Corporations, 3No. Oversight bodies, 3 No. County Governments: -
 - a) The National Treasury
 - b) State Department for ICT
 - c) State Department for Public Service
 - d) Office of Auditor General
 - e) Kenya Electricity Generating Company
 - f) Kenya National Highways Authority
 - g) Moi Teaching and Referral Hospital
 - h) Ethics and Anti-Corruption Commission
 - i) Public Procurement and Regulatory Authority
 - j) Makueni County (Executive)
 - k) Elgeyo Marakwet County (Executive)
 - l) Busia County (Executive)
 - xii) To give urgency and support in the implementation, H.E Excellency the President in His State of the Nation Address on 21st November, 2024, directed the National Treasury to roll out eGP system by first quarter 2025;
 - xiii) Further during the budget of statement 2025/2026, the Cabinet Secretary for The National Treasury and Economic Planning indicated that as from 1st July, 2025 the National Treasury will roll out the eGP system where all entities will migrate to the online procurement system;
 - xiv) The Cabinet in its 4th meeting of 24th June, 2025 directed that eGP shall be the primary means of procurement in all Government transactions;
 - xv) The implementation and use of the e-GP system will result in reduced cost of goods, works and services; increased transparency in procurement processes and practices; improved efficiency in procurement by minimizing the procurement cycle time; maximization of value for money; accountability; improved confidentiality, integrity and authenticity of transactions between procuring entities and suppliers; streamlined procurement procedures across the government through standardization of processes and practices; and enhanced procurement information management that will facilitate procurement planning, monitoring, evaluation and reporting;

- xvi) The CS - Treasury issued a circular Ref. No. NT/PPD/1/3/14 Vol VI dated 26th March 2025 directing Accounting Officers to transition to eGP system w.e.f 1st July, 2025. The Head of Public Service vide Circular No. OP/CAB.6/2A dated 5th June 2025 also reiterated the need for all Procuring Entities to onboard into the eGP system.
- xvii) As part of the rollout, the National Treasury carried out the following:
 - a) A massive registration exercise of all Procuring Entities and Suppliers;
 - b) Training of users of the eGP system from all Procuring Entities;
 - c) Training of suppliers;
 - d) issued more circulars for ease of implementation of the eGP system by Procuring Entities; and
 - e) A help desk set up at the 4th floor of KISM Towers to support PEs across the country.
- xviii) The Public Procurement Regulatory Authority (PPRA) is mandated to enforce standards and directives with respect to the Act, Regulations and existing policies regarding Public Procurement. This is in line with the section 9(c) of the Act which states that: -The functions of the Authority shall be to Enforce any standards developed under this Act;
- xix) Pursuant to the above provision of the Act, the PPRA issued Circular No 04/2025 on enforcement of Compliance with mandatory use of the electronic Government Procurement system by all Procuring Entities, to reiterate the need for all Procuring Entities to onboard into the eGP system;
- xx) The said circular by PPRA was the subject of debate by Parliament which led to its annulment;
- xxi) The following is the status of the implementation of the eGP system:
 - a) Procuring Entities Registered – 1,379
 - b) Suppliers Registration- 10,000
 - c) ToT's Supporting Rollout of the system – 140 No.
 - d) Persons Trained from various Procuring Entities – over 14,000 No PFM and users.
- xxii) As directed by the Government Policy on digitization as an enabler of among others the Bottom-Up Transformation Agenda (BETA), the National Treasury will continue to implement this key reform agenda;
- xxiii) In the spirit of Stakeholder engagement in the rollout of eGP, a meeting was held by National Treasury officers with the NG-CDF management and NGAAF officers where the following was agreed during for effective implementation with regards CDF procurement in the eGP system;
- xxiv) The need for Capacity Building of Members of parliament, Fund Managers and Staff of NG-CDF and NGAAF – The National Treasury shall undertake the capacity building and provide the support to the two institutions;
- xxv) The need for Stakeholder Engagement when rolling out eGP – The National Treasury will continue engaging MPs, and users of the system for effective implementation;
- xxvi) The need for the system to be have visibility for Members of the Public, and Fund managers- The system is open for oversight by the public, MPS and Oversight bodies;
- xxvii) Flexibility of the system – The system is flexible enough to allow amendments of Annual Procurement Plans when need emergencies arises;
- xxviii) There need for locals will benefit in CDF related procurements – The system accommodates preferences and reservations during procurement planning and implementation; and
- xxix) System availability in remote parts of the country – the EGP system is web based where mobile service providers have reach.

Committee Observations

Having examined the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, and having considered the responses provided by the Cabinet Secretary, The National Treasury and Economic Planning regarding the implementation status and conformity with the Constitution, the Public Procurement and Asset Disposal Act, the Interpretation and General Provisions Act (Cap. 2), and the Statutory Instruments Act (Cap. 2A), the Committee observed as follows:—

1. That by a Resolution of the House through adoption of the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, the House annulled **Circular No. 04 of 2025** of 12th August 2025;
2. That the annulment of **Circular No. 04 of 2025** of 12th August 2025 by the House did not take cognizance of the fact that enforcement of compliance with the mandatory use of the Electronic Government Procurement System (E-GPS) by all public procuring entities could still proceed by way of a Cabinet directive in its 4th meeting of 24th June, 2025 stating that eGP shall be the primary means of procurement in all Government transactions, further, the House did not annul two previous circulars: Circular Ref. No. NT/PPD/1/3/14 Vol VI by the Cabinet Secretary, The National Treasury and Economic Planning dated 26th March 2025, directing Accounting Officers to transition to the eGP system with effect from 1st July, 2025; and Circular No. OP/CAB.6/2A dated 5th June 2025 from The Head of Public Service reiterating the need for all Procuring Entities to onboard into the eGP system;
3. That while Article 227(1) of the Constitution requires a state organ or any other public entity that contracts for goods or services, to do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective. Circular No. 04 of 2025, dated 12th August 2025, titled “Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all public procuring entities”, makes it mandatory that all procurements should be made in electronic form. This will disadvantage procurers and the general public, many of whom may face challenges in onboarding, such as geographical remoteness, limited internet penetration, grid electricity connection issues, and technological difficulties.
4. That while Section 64 (2) of the Public Procurement and Asset Disposal Act as read together with Regulations 49 outlines that Information and Communication Technologies (ICT) may be used (optional) in public procurement and asset disposal proceedings, Section 77(1) of the Public Procurement and Asset Disposal Act recognizes that submission of tenders may be made in electronic or manual form, should be in writing, signed and in the case of manual submission, they should be sealed in an envelope;

However, Section 7 (2) (c) and (f) of the Act states as follows:

In the performance of its role under subsection (1), the National Treasury shall—
(c) *design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution: Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes*

the distinctiveness of the national and county levels of government; (f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments, including state corporations and other government agencies; This gives the Cabinet Secretary for The National Treasury powers to prescribe which option public procurement entities must use.

5. That the Cabinet Secretary usurped the legislative powers of the National Assembly as duly elucidated under Article 94(5) of the Constitution of Kenya, which states that: *No person or body, other than Parliament, has the power to make provision having the force of law in Kenya except under authority conferred by this Constitution or by legislation. The Cabinet Secretary acted ultra vires by issuing the highlighted circular.* The Committee noted that to address this issue, the Ministry should either amend the previous circulars that had been issued or revoke them. Furthermore, introduce an amendment to Section 77(1) of the Public Procurement and Asset Disposal Act, Cap. 412C deletes the provision of manual procurement.
6. Although the Government of Kenya decided to roll out the e-procurement system (eGP) as early as 2018, the system, jointly run by a Kenyan and an Indian firm, was procured in April 2022 for Kshs. 387,567,570. The Committee took note that the Cabinet Secretary submitted the documents of the Company in question behind the system.
7. That entities with their own e-procurement systems, like Kenya Pipeline and KENGEN, would be exempted once the Cabinet Secretary approves onboarding the eGP, provided their systems are found to be sufficiently tamper-proof; and
8. That procurements from funds appropriated in the Financial Year 2024/2025, but disbursed late, such as NG-CDF, NGAAF, and County Governments, would be exempt since the system was configured to process procurements starting from July 1, 2025.
9. Furthermore, upon tabling and adoption of this report, the Cabinet Secretary, The National Treasury and Economic Planning will issue a circular with clear timelines and a staggered approach, introducing a clear transition period during which both e-GP and manual procurement will operate in parallel. It is essential that, before the beginning of the second half of FY 2025/26 in January 2026, these transitional measures are formally communicated. This will assure accounting officers that they will not face surcharges or sanctions for temporarily using alternative procedures.
10. The Act came into force on 7th January 2016, but does not have regulations specifically for electronic procurement.

Committee Recommendations

Having examined the *Report of the Committee on Delegated Legislation on its Consideration of the Public Procurement Regulatory Authority Circular on the Enforcement of Compliance with the Mandatory Use of the Electronic Government Procurement System (E-GPS) by all Public Procuring Entities (Circular No. 04 of 2025)*, and having considered the responses provided by the Cabinet Secretary, The National Treasury and Economic Planning and Public Procurement Regulatory Authority (PPRA) regarding the implementation status and conformity with the Constitution, the Public Procurement and Asset Disposal Act, (Cap. 412C) the Interpretation and General Provisions Act (Cap. 2), and the Statutory Instruments Act (Cap. 2A), the Committee recommends as follows:—

1. That, having considered the contents of the following circulars,
 - a) Circular Ref. No. NT /PPD/1/3/14 Vol VI by the Cabinet Secretary, the National Treasury and Economic Planning dated 26th March 2025, directing Accounting Officers to transition to the eGP system with effect from 1st July 2025; and

b) Circular No. OP/CAB.6/2A dated 5th June 2025 from the Head of Public Service reiterating the need for all Procuring Entities to onboard into the eGP system, which occasioned the issuance of Circular No. 04 of 2025.

The Committee concurs with the annulment of *Circular No. 04 of 2025* of 12th August 2025 by the House. Further, the Committee recommends that the House declares the above Circulars (a & b) a nullity, as they create ultra vires provisions which were in contravention of Article 227 of the Constitution, and Section 77(1) of the Public Procurement and Assets Disposal Act, Cap. 412C.

2. The Committee notes that monies appropriated in the financial year 2024/2025 have been disbursed. The Committee recommends that the implementation of projects for the financial year 2024/2025 proceeds according to the approved procurement plans, in strict compliance with the provisions of Section 77(1) of the Public Procurement and Asset Disposal Act. This section permits the use of both manual and electronic procurement methods, ensuring flexibility and efficiency in the procurement process.
3. The Committee recommends that, henceforth, the Cabinet Secretary, The National Treasury and Economic Planning, submits Regulations to accompany any new Circular on the Electronic Government Procurement System for consideration by the National Assembly.

MIN. NO.NA/DAA& GPC/COI/2025/303: ANY OTHER BUSINESS

There was no further business to transact.

MIN. NO.NA/DAA & GPC/COI/2025/304: ADJOURNMENT

There being no other business, the meeting was adjourned at 1:10 p.m.

Signed.....

Hon. Raphael Bitta Sauti Wanjala, CBS, M.P
(CHAIRPERSON)

Date.....9th Oct. 2025

**SUBMISSION BY THE CABINET SECRETARY,
NATIONAL TREASURY & ECONOMIC PLANNING &
THE DIRECTOR GENERAL, PUBLIC PROCUREMENT
REGULATORY AUTHORITY (PPRA)**



REPUBLIC OF KENYA
THE NATIONAL TREASURY AND ECONOMIC PLANNING

**MEETING WITH THE COMMITTEE ON IMPLEMENTATION REGARDING
IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS**

Hon Chairman and Hon. Members of this committee on implementation regarding status of House Resolutions, Good morning.

We are here pursuant to the invitation received from the Clerk of the National Assembly Ref. NA/AA&GPC/COI/2025/061) of 26th August, 2025 addressed to the Principal Secretary National Treasury with request to extend the invitation to the Cabinet Secretary NT & Economic Planning to apprise the Committee on The Implementation Status of the House Resolutions.

Honourable Chairman and Hon Members, before I delve into the status of implementation of the resolutions of the House, (e-GP) allow me to cite various articles of the Constitution of Kenya 2010, provisions of the Public Procurement and Asset Disposal Act, 2015 and the Public Procurement and Asset Disposal Regulations, 2020 relevant to the subject matter.

Article 201 of the Constitution, contemplates a transparent procurement system and sets forth the principles of Public Finance Management. Among them principles is the demand for an open, transparent and accountable system that includes public participation. The National Treasury, the agency behind the circular for mandatory transition to e-procurement, is contemplated under article 225 that required Parliament to enact a legislation to establish it and prescribe a mechanism for expenditure controls and transparency across all government levels.

Parliament enacted the Public Finance Management Act of 2012 to fulfil the requirements of Chapter 12. Section 11 of the Act establishes The National Treasury, with Part III of the Act detailing its general responsibilities, powers and those of the Cabinet Secretary in-charge of it. By deed of this part of the

law, all executive powers in the administration of public resources, and designation of Accounting Officers in fulfilment of Article 226 vest on the CS in-charge of the Treasury.

As you are aware Article 227(1) of the Constitution states that:

“When a State organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective

In compliance with Article 227 of the Constitution, Parliament enacted the Public Procurement and Asset Disposal Act, 2015 (the Act) with its attendant Regulations 2020.

Section 64 (2) of the Act as read together with Regulations 49 states that: -

“Information and Communication Technologies (ICT) may be used in procurement and asset disposal proceedings as prescribed with respect to—

- (a) publication of notices;*
- (b) submission and opening of tenders;*
- (c) tender evaluation;*
- (d) requesting for information on the tender or disposal process;*
- (e) dissemination of laws, regulations and directives;*
- (f) digital signatures; or*
- (g) as may be prescribed by regulations.”*

Further section 7 (2) (c) and (f) of the Act states as follows:

In the performance of its role under subsection (1), the National Treasury shall—

(c) design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution:

Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government;

(f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments including state corporations and other government agencies

Regulation 49 to 64 has prescribed the manner how procurement will be carried out electronically from annual procurement planning to contract management.

Chairman and Honorable members to implement the provisions of the law that I have enumerated above, the National Treasury embarked on the implementation of the e-Government Procurement.

It all started with development of a strategy on eGP implementation in year 2018. The National Treasury with the assistance of the World Bank carried out an eProcurement readiness assessment to assess the Country's readiness and the capabilities of existing IFMIS system to undertake Public Procurement electronically.

Chairman and Honorable Members, the findings of the study revealed that the country was ready for eProcurement system. It is against this background that the eGP strategy was developed and it provided for among others the following: -

- 1) A Steering Committee chaired by Principal Secretary National Treasury to drive eGP implementation;
- 2) A Technical Committee comprising of membership drawn from MDAs, State Corporations and County Governments to provide technical assistance in the implementation of eGP;
- 3) Steps in the implementation of the eGP system which include; Design of the system; development of the specifications and business requirements, tendering arrangements; and delivery of the system.

Chair and Honorable Members,

A vendor was procured to deliver the system in line with the requirements of the Public Procurement and Asset Disposal Act, 2015, and upon Procurement

and Contracting, User Acceptance Tests (UAT) were carried out where the Technical Committee and select Procuring Entities were involved.

Further the system was piloted on the following 12 Procuring Entities which comprise 3No. MDAs; 3 No. State Corporations, 3No. Oversight bodies, 3 No. County Governments, -

- 1) The National Treasury
- 2) State Department for ICT
- 3) State Department for Public Service
- 4) Office of Auditor General
- 5) Kenya Electricity Generating Company
- 6) Kenya National Highways Authority
- 7) Moi Teaching and Referral Hospital
- 8) Ethics and Anti-Corruption Commission
- 9) Public Procurement and Regulatory Authority
- 10) Makueni County (Executive)
- 11) Elgeyo Marakwet County (Executive)
- 12) Busia County (Executive)

Chair and Honourable members,

To give urgency and support in the implementation, H.E Excellency the President in His State of the Nation Address on 21st November, 2024, directed the National Treasury to roll out eGP system by first quarter 2025.

Further Hon. Members, you recall during the budget of statement 2025/2026 ,I did indicate to you members that as from 1st July, 2025 the National Treasury will roll out the eGP system where all entities will migrate to the online procurement system.

The Cabinet in its 4th meeting of 24th June, 2025 directed that eGP shall be the primary means of procurement in all Government transactions.

The implementation and use of the e-GP system will result in reduced cost of goods, works and services; increased transparency in procurement processes and practices; improved efficiency in procurement by minimizing the procurement cycle time; maximization of value for money; accountability; improved confidentiality, integrity and authenticity of transactions between procuring entities and suppliers; streamlined procurement procedures across

the government through standardization of processes and practices; and enhanced procurement information management that will facilitate procurement planning, monitoring, evaluation and reporting.

Further I issued a circular Ref. No. NT/PPD/1/3/14 Vol VI dated 26th March 2025 directing Accounting Officers to transition to eGP system w.e.f 1st July, 2025. The Head of Public Service vide Circular No. OP/CAB.6/2A dated 5th June 2025 also reiterated the need for all Procuring Entities to onboard into the eGP system.

Chairman and Honorable Members,

As part of the rollout, the National Treasury carried out the following:

- i. A massive registration exercise of all Procuring Entities and Suppliers;
- ii. Training of users of the eGP system from all Procuring Entities;
- iii. Training of suppliers;
- iv. issued more circulars for ease of implementation of the eGP system by Procuring Entities; and
- v. A help desk set up at the 4th floor of KISM Towers to support PEs across the country.

Chair and Honourable Members,

As you are aware, the Public Procurement Regulatory Authority (PPRA) is mandated to enforce standards and directives with respect to the Act, Regulations and existing policies regarding Public Procurement. This is in line with the section 9(c) of the Act which states that: *-The functions of the Authority shall be to Enforce any standards developed under this Act*

Chair and Honorable Members,

Pursuant to the above provision of the Act, the PPRA issued Circular No 04/2025 *on enforcement of Compliance with mandatory use of the electronic Government Procurement system by all Procuring Entities*, to reiterate the need for all Procuring Entities to onboard into the eGP system.

Chair and Honourable Members, the said circular by PPRA was the subject of debate by Parliament which led to its annulment.

Chair and Honourable Members,

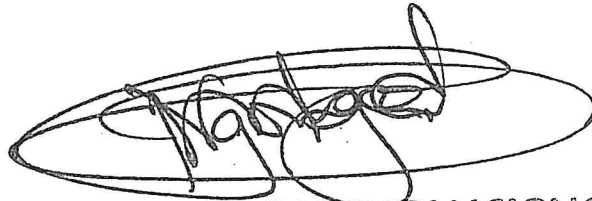
The following is the status of the implementation of the eGP system:

- 1) Procuring Entities Registered – 1,379
- 2) Suppliers Registration- 10,000
- 3) ToTs Supporting Rollout of the system – 140 No.
- 4) Persons Trained from various Procuring Entities – over 14,000 No PFM and users.

Chair and Honourable Members,

As directed by the Government Policy on digitization as an enabler of among others the Bottom-Up Transformation Agenda (BETA), the National Treasury will continue to implement this key reform agenda.

Thank you Honourable Chairman and Honorable members.

A handwritten signature in black ink, appearing to read 'John Mbadi Ng'ongo', is enclosed within a large, hand-drawn oval.

**HON. FCPA JOHN MBADI NG'ONGO, EGH
CABINET SECRETARY/THE NATIONAL TREASURY**

THE PUBLIC FINANCE MANAGEMENT ACT, 2012

PART III— NATIONAL GOVERNMENT RESPONSIBILITIES WITH RESPECT TO THE MANAGEMENT AND CONTROL OF PUBLIC FINANCE

11. (1) There is established, pursuant to Article 225 of the Constitution, an entity of the national government to be known as the National Treasury.

(2) The National Treasury shall comprise of—

(a) the Cabinet Secretary;

(b) the Principal Secretary; and

(c) the department or departments, office or offices of the National Treasury responsible for economic and financial matters.

(3) The Cabinet Secretary shall be the head of the National Treasury.

PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, 2015

7. Role National Treasury on public procurement and assets disposal

(1) The National Treasury established under section 11 of the Public Finance Management Act, 2012, shall be responsible for public procurement and asset disposal policy formulation.

(2) In the performance of its role under subsection (1), the National Treasury shall—

(a) formulate, evaluate, promote and research on national and county public procurement and asset disposal policy and standards;

(b) develop policy guidelines for the efficient procurement management and disposal system for national executive;

(c) design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution:

Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government;

(d) provide technical assistance on procurement and assist in the implementation and operation of the public procurement and asset disposal system;

(e) manage and administer the scheme of service of the procurement and supply chain management services cadre for the national government;

(f) carry out general research, develop and promote electronic procurement strategies and policies in both the national and county governments including state corporations and other government agencies;

(g) carry out review of procurement and supply chain management system to assist procuring entities;

(h) develop and review policy on procurement of common user items in the public sector both at national and county government levels;

(i) develop policy on the administration of preference and reservations scheme and registration of target groups under preference and reservations scheme as prescribed;

(j) facilitate affirmative action for disadvantaged groups in accordance with the Constitution and advance their participation in the procurement process;

(k) develop and review policies and guidelines on the management of assets;

(l) issue guidelines to public entities with respect to procurement matters; and

(m) perform such other functions as prescribed by this Act or any other legislation.

(3) The National Treasury may prescribe an institutional framework to provide for the procurement, administration and management of common user items for the national government

PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT, 2015

The Public Procurement Regulatory Authority

9. Functions of Authority

The functions of the Authority shall be to—

- (a) monitor, assess and review the public procurement and asset disposal system to ensure that they respect the national values and other provisions of the Constitution, including Article 227 and make recommendations for improvements;
- (b) monitor the public procurement system and report on the overall functioning of it and present to the Cabinet Secretary and the county executive member for finance in each county, such other reports and recommendations for improvements;
- (c) enforce any standards developed under this Act;
- (d) monitor classified procurement information, including that of specific items of security organs and make recommendations to the Cabinet Secretary;
- (e) monitor the implementation of the preference and reservation schemes by procuring entities;
- (f) prepare, issue and publicise standard public procurement and asset disposal documents and formats to be used by public entities and other stakeholders;
- (g) provide advice and technical support upon request;
- (h) to investigate and act on complaints received on procurement and asset disposal proceedings from procuring entities, tenderers, contractors or the general public that are not subject of administrative review;
- (i) research on the public procurement and asset disposal system and any developments arising from the same;
- (j) advise the Cabinet Secretary on the setting of standards including international public procurement and asset disposal standards;
- (k) develop and manage the State portal on procurement and asset disposal and ensure that it is available and easily accessible;
- (l) monitor and evaluate the preference and reservations provided for under this Act and provide quarterly public reports;
- (m) create a central repository or database that includes—
 - (i) complaints made on procuring entities;

- (ii) a record of those prohibited from participating in tenders or those debarred;
- (iii) market prices of goods, services and works;
- (iv) benchmarked prices;
- (v) State organs and public entities that are non-compliant with procurement laws;
- (vi) statistics related to public procurement and asset disposal;
- (vii) price comparisons for goods, services and works; and
- (viii) any information related to procurement that may be necessary for the public;

(n) inform, as applicable, the Cabinet Secretary, Parliament, the relevant County Executive member for finance, the relevant County Assembly or Auditor-General on issues of non-compliance with procurement laws once the relevant State organ or public entity ignores the written directives of the Authority, including material breaches of the measures established under this Act;

(o) generally, report to Parliament and the relevant county assembly;

(p) develop a code of ethics to guide procuring entities and winning bidders when undertaking public procurement and disposal with State organs and public entities;

(q) in undertaking its functions, cooperate with state and non-state actors with a view to obtaining recommendations on how public procurement and disposal can be improved;

(r) ensure the procurement entities implement the preference and reservations and provide data to the Authority disaggregated to indicate the number of disadvantaged groups that have benefitted;

(s) perform such other functions and duties as are provided for under this Act and any other relevant law.

(2) If in the course of monitoring in accordance with section 9(1)(a), the Authority is of the opinion that civil or criminal proceedings ought to be preferred against a State Organ, public entity, state officer or public officer, the Authority shall refer the matter to the relevant authorities.

PUBLIC PROCUREMENT AND ASSET DISPOSAL REGULATIONS, 2020

FORMS OF COMMUNICATIONS, ELECTRONIC PROCUREMENT AND ASSET DISPOSAL

49. (1) The National Treasury when designing and managing an efficient procurement management system as envisaged under section 7(2)(c) and in accordance with section 64(2) of the Act, shall ensure that the system is interfaced with the State Portal in respect of—

- (a) procurement planning;
- (b) registration of suppliers;
- (c) publication of notices;
- (d) submission and opening of tenders;
- (e) tender evaluation;
- (f) requesting for information on tender or disposal process;
- (g) dissemination of laws, regulations, directives and circulars;
- (h) digital signatures;
- (i) publication of tender awards;
- (j) notification and acceptance of tender awards;
- (k) administrative review of tender disputes;
- (l) publication of contract awards;
- (m) requisition;
- (n) invoicing;
- (o) generation of orders;
- (p) termination or cancellation of procurement proceedings; and
- (q) any other as may be specified by the Cabinet Secretary.

(2) The conduct of e-procurement procedures for the supply of goods, works and services shall be carried out by a procuring entity using an e-procurement system which is integrated to the State Portal.

(3) The e-procurement system referred to in paragraph (2) shall—

(a) allow electronic exchange of documents between a procuring entity and suppliers; and

(b) allow the management of the qualification process, the updating of supplier lists and the evaluation of suppliers.

50. (1) Where a procuring entity intends to use an e-procurement system, that procuring entity shall prepare its annual procurement plan through the system and upload it in the State Portal.

(2) Subject to paragraph (1), a procuring entity shall configure the approval process for annual procurement plans into the e-procurement system to allow for the preparing and publishing of departments or consolidated procurement plans.

51. The e-procurement system referred to in Regulations 50 and

52. shall be interactive and have the capability to enable bidders participating in a procurement proceeding to request or seek information or clarification.

52. Where the e-procurement system is in place, procuring entities shall requisition all the procurement and asset disposal requirements through the approved system in regulation 49 through the procurement function.

53. Tenderers, suppliers and consultants may register as a single entity, joint venture or association with sub-contractors or sub-consultants in compliance with the Act through an application form provided by the system for registration.

54. The National Treasury shall ensure that all procuring entities are registered into the e-procurement system and that they have their respective facilities to carry out different activities of initiating the procurement process, annual procurement plan preparation, procurement document preparation, evaluation, professional opinion, contract award, contract management, internal procurement process, workflow management, tracking payments, deliverables and other processes through the available features and modules of the e-procurement system.

55. (1) The candidates who are desirous of participating in e-procurement shall submit their bids in the standard formats issued by the Authority.

(2) The tenderers shall upload copies of all the relevant Kenya Subsidiary Legislation, 2020 779 certificates and documents on the e-procurement system in support of their bids.

(3) The tenderers shall sign all statements, documents and certificates uploaded to take responsibility for their correctness and authenticity.

- (4) Tenderers shall be allowed to submit modifications to bids or proposals or withdraw previously submitted bids or proposals electronically up to, but not after, the bid submission deadline.
 - (5) Receipt of modification or notice of withdrawal including the date and time shall be acknowledged electronically.
 - (6) A bid or proposal submitted online shall be scanned for malware by the system administrator before being uploaded and accepted into the online bid box.
 - (7) Where a scan causes a bid to be rejected, the tenderers shall be notified immediately.
 - (8) A procuring entity shall accept only those bids in electronic format received within the tender submission deadline.
 - (9) Receipt of electronic submissions, including the date and time, shall be acknowledged electronically.
 - (10) Proof of tender security as required by the procuring entity, where applicable, shall be scanned and uploaded along with the bid, and the original physical copy shall be submitted to the procuring entity so as to reach before the date of closing of the bids.
 - (11) Failure to submit the original physical copy of a tender security before the closing of the bid shall lead to the disqualification of the bid.
 - (12) A procuring entity shall not charge any fee for tender documents obtained electronically by candidates.
 - (13) In order to submit the bids electronically, candidates shall be required to secure a digital signature certificate from a certifying agency licensed by the Communications Authority of Kenya.
 - (14) The bids or proposals submitted online shall be signed electronically with a digital signature to establish the identity of the bidder submitting the bid or proposal online.
56. (1) Where a candidate or tenderer makes an inquiry relating to the amended tender documents under section 75(2) of the Act, the procuring entity shall promptly respond in writing in both manual and through electronic mail where possible, and such correspondence shall be sent through the official communication address of the procuring entity.

(2) Where the response under paragraph (1) affects the requirements of the tender, the response shall be copied to all candidates and shall include a description of the inquiry but without identifying the source.

(3) A procuring entity shall not be bound to respond to inquiries received after the deadline for submitting inquiries stipulated in the tender document.

57. (1) Where submission of tenders are done online, such submissions shall be received into an electronic tender box and maintained to high standards of security and the e-tender box shall remain closed until the time of tender opening. Opening of e-tenders.

(2) The electronic tender box referred to under paragraph (1) shall have three passwords that are simultaneously time-activated and each password shall be issued to different officers who are members of the tender opening committee.

(3) Without limiting the generality of the foregoing, the tenderer submitting a bid or proposal may encrypt their bid as long as their respective passwords are availed at the tender opening.

(4) A tenderer who submits an encrypted tender and fails to provide their respective password or other means of access to the document at the tender opening shall be deemed not to have submitted their bid.

(5) A record of the bid opening shall be kept in print copy and signed by the tender opening committee appointed in accordance with section 78(1) of the Act.

(6) A procuring entity shall ensure that the date and time of an automated closure of an electronic bid deadline is indicated in the invitation notice or tender document in accordance with the local time zones.

(7) All tenders shall be opened in the presence of all invited bidders who choose to attend and sign a record of attendance.

(8) Despite paragraph (7), a procuring entity may allow for online viewing of tender opening proceedings by tenderers.

(9) All e-tenders shall be readable through open standard interfaces and formats as specified in the tender documents.

(10) Information read at the bid opening shall include where applicable and practicable, the name of the tenderer, the absolute and final price, offered discount, tender security and any other pertinent information that may be deemed necessary.

- (11) The procuring entity shall on request provide a copy of the tender opening register to a tenderer.
 - (12) Bids or proposals in electronic format shall be protected against access by unauthorized persons until the publication of the contract award.
 - (13) A procuring entity shall open bids or proposals in electronic format.
 - (14) A procuring entity shall ensure that financial proposals in electronic format shall only be accessed and opened after the technical evaluation of the proposals where so required in the e-tender documents.
 - (15) Until the price bids are opened, the bid-offers shall be kept confidential.
 - (16) Financial bids for unsuccessful bidders at the technical stage shall not be opened.
58. (1) An accounting officer of a procuring entity shall, upon appointment of any ad hoc evaluation committee, register its members and give them access to the e-procurement system.
- (2) An evaluation committee shall access the system only in specified and restricted time for specific procurement defined by a procuring entity for submitting the evaluation results and reports.
 - (3) The tender evaluation committee shall evaluate the tenders using the evaluation criteria contained in the e-tender document.
 - (4) The clarifications, particulars, if any, required from the tenderers to assist in evaluation pursuant to section 81 of the Act, shall be obtained electronically.
 - (5) The tender evaluation report shall be submitted and accessed electronically by the head of the procurement function for professional opinion.
 - (6) A procuring entity shall use pre-approved automated evaluation process so long as the evaluation aligns with the criteria established in the bidding documents is consistent with the principles of economy, effectiveness, efficiency, equal opportunity, and transparency.
59. (1) A digital signature certificate required by a procuring entity shall be obtained from a certifying agency licensed by the Communications Authority of Kenya for accounting officer, head of procurement function, tender opening and evaluation committee, as the case may be.
- (2) When an officer with a digital signature ceases to work for the procuring entity, the digital signature shall be surrendered to the issuing authority immediately.

(3) A bid for a particular tender can be submitted during the online bid submission stage only using the digital certificate that is used to encrypt the data.

(4) In the event of a loss of the digital signature certificate by an officer of a procuring entity, for any reason whatsoever including a misplacement, hardware or software malfunctions, operating systems problems and malware, the officer shall immediately report such loss to the accounting officer and the certifying agency simultaneously.

60. All contract awards shall be reported by the procuring entity through the e-procurement system to the Authority and the Authority shall upload the information in the State portal accordingly.

61. (1) A procuring entity shall notify all bidders participating in the e-tendering process of the outcome of the award electronically and simultaneously.

(2) The system approved in section 64 of the Act shall be interactive and have the capability to enable bidders participating in a procurement procedure to be notified and accept tender awards electronically.

(3) The accounting officer or head of the procurement function shall, in accordance with section 87 of the Act, sign and send a notification to—

(a) the successful tenderer that their bid was successful; and

(b) to unsuccessful tenderers that their bids were unsuccessful,

giving reasons thereof.

62. (1) The e-procurement system shall recognize the management of administrative review of all tendering disputes lodged before the Review Board and suspend all affected procurement proceedings until the request for review is heard and determined.

(2) Candidates and tenderers shall lodge appeals and receive responses electronically.

63. After the award of the contract, the contract agreement shall be prepared and entered into in accordance with Part XI of the Act.

64. The system envisaged in section 64 of the Act shall—

be interactive and have the capability to generate purchase orders and receive invoices from suppliers; and

(a) have a secure document management system.

**CIRCULAR BY THE CHIEF OF STAFF
AND HEAD OF THE PUBLIC SERVICE**

EXECUTIVE OFFICE OF THE PRESIDENT
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

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Telephone: +254-20-2227436
When replying please quote

STATE HOUSE
P.O. Box 40530-00100
Nairobi, Kenya

Ref. No. **OP/CAB.6/2A**
and date

5th June, 2025

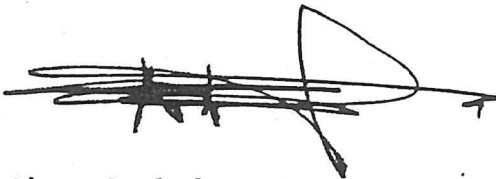
All Principal Secretaries

All Chief Executive Officers/State Corporations

RE: TRANSITION TO E-PROCUREMENT SYSTEM

This is to notify you that as from 1st July, 2025 all Government Procurement will be through the e-Government Procurement system, and all procuring entities are expected to prepare for transition to the e-GP system.

Ensure, therefore, that all your institutions are registered on e-GP by latest **Tuesday, 10th June 2025.**



Arthur A. Osiya, CBS
FOR: CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

Copy to: **Mr. Felix K. Koskei, EGH**
Chief of Staff and Head of the Public Service
Executive Office of the President
NAIROBI

**CIRCULAR BY THE PUBLIC
PROCUREMENT REGULATORY
AUTHORITY**

REF: PPRA/6/5 VOL. II (228)

CIRCULAR No: PPRA/03/2025

27th June, 2025

To: The Clerk of the Senate
The Clerk of the National Assembly
The Chief Registrar of the Judiciary
All Principal Secretaries and Accounting Officers of Ministries and State
Departments
The Solicitor General
The Controller of Budget
All Commission Secretaries, Constitutional Commissions
All CEOs/Accounting Officers of State Corporations and SAGAs
All Vice Chancellors, Public Universities
All Ambassadors/ High Commissioners, Kenya Diplomatic Missions
All County Secretaries
All Clerks, County Assemblies
All County Executive Committee Members for Finance
All Accounting Officers, County Departments
All CEOs/Accounting Officers of County Corporations/Agencies
All Managing Directors, Public Water Companies
All Principals of Public Colleges, Polytechnics, Technical and Vocation Training
Institutions
All Principals and Headmasters of Public Secondary & Primary Schools
All Trust Secretaries, Pension Funds for Public Entities
All Regional National Government Coordinators
All County Commissioners, County Service Delivery Coordination Units
All Fund Account Managers, National Government Constituency Development
Funds
All County Coordinators, National Government Affirmative Action Funds
All Managers, City Boards and Municipalities
All Heads of Project Implementation Units/Offices
All Heads of Other Public Institutions

**PROCESSING OF FRAMEWORK AGREEMENTS AND FRAMEWORK
CONTRACTS DURING THE TRANSITION TO THE ELECTRONIC
GOVERNMENT PROCUREMENT SYSTEM (e-GPS)**

The public procurement and asset disposal system in the country has undergone tremendous reforms to enhance efficiency, transparency, competition and accountability aimed at guaranteeing value for money and effective service delivery. One of the landmarks in public procurement reforms is the development of the Electronic Government Procurement System (e-GPS), pursuant to Section 7(f) of the Public Procurement and Asset Disposal Act, Cap. 412C (the Act). The e-GPS is designed to automate and streamline public procurement processes from planning stage to payment.

The Office of the President and the National Treasury vide circulars Ref: OP/CAB.6/2A and Ref: NT/PPD/1/3/14 Vol. VI dated 5th June, 2025 and 26th March, 2025 respectively, communicated the transition to and roll out of the Government of Kenya's End-To-End Electronic Government Procurement System (e-GPS) from 1st July, 2025.

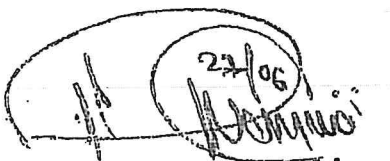
In light of the above circulars and the need to transition all procurement transactions to e-GPS, all procuring entities are directed in the intervening period and effective from the date of this Circular, to with immediate effect:

1. Cease initiation of procurement processes for Financial Year 2025/2026 going forward through use of framework agreements and/or framework contracts;
2. Refrain from issuing any awards or entering into contracts resulting from framework agreements and/or framework contracts process for Financial Year 2025/2026 going forward until after the roll out of the e-GPS; and
3. Invoke the provisions of Section 63 of the Act on termination and cancellation of procurement proceedings provided that no letters of notification of awards have been issued.

Effective 1st July, 2025, it is expected that all procurements proceedings, including those processed through use of framework agreements/contracts for Financial Year 2025/2026 going forward, shall be carried out through the e-GPS.

For avoidance of doubt, this Circular shall not apply to existing contracts and the Authority shall in due course issue guidelines on existing contracts.

All Accounting Officers are required to note and bring the contents of this Circular to the attention of all officers involved in the public procurement and asset disposal activities within their jurisdiction.


Patrick K. Wanjuki
DIRECTOR GENERAL

Copy to: **FCPA Hon. John Mbadi, EGH**
Cabinet Secretary
The National Treasury & Economic Planning
The National Treasury Building
NAIROBI
Email: cabinetsecretary@treasury.go.ke

Mr. Felix K. Koskei, EGH
Chief of Staff and Head of the Public Service
Executive Office of the President
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Ms. Mary Mwiti, MBS
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Council of Governors
Delta Corner House, Off Waiyaki Way
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CIRCULAR BY THE CABINET
SECRETARY, THE NATIONAL
TREASURY AND ECONOMIC
PLANNING



REPUBLIC OF KENYA
THE NATIONAL TREASURY AND PLANNING

Telegraphic Address: 22921
Finance – Nairobi
FAX NO. 310833
Telephone: 2252299

THE NATIONAL TREASURY
P O BOX 30007 - 00100
NAIROBI

When Replying Please Quote

Ref. No. NT/PPD 1/3/14 Vol. VI

26th March, 2025

All Accounting Officers/Principal Secretaries
All Chief Executive Officers of State Corporations and Semi-Autonomous Agencies
The Clerk, Senate
The Clerk/ National Assembly
The Chief Registrar of the Judiciary
All Chief Executive Officers of Commissions and Independent Offices
All County Executive, Members for Finance
All Clerks, County Assemblies
Other Public Institutions

ROLL OUT OF AN END-TO-END ELECTRONIC GOVERNMENT PROCUREMENT
(e-GP) SYSTEM FOR THE GOVERNMENT OF KENYA

A. INTRODUCTION

Reference is made to The National Treasury Circular issued on 10th July, 2024 directing all Accounting Officers of Procuring Entities to prepare for a seamless transition to the use of e-GP System (*Copy attached*). Additionally, His Excellency, the President in his State of the Nation address on 21st November, 2024 directed the National Treasury to roll-out the e-GP system by the first quarter of 2025 and that going forward only procurements undertaken on the system are sanctioned and paid for.

The implementation and use of the e-GP system will result in reduced cost of goods, works and services; increase transparency in procurement processes and practices; improve efficiency in procurement by minimizing the procurement cycle time; maximize value for money; foster accountability; improve confidentiality, integrity and authenticity of transactions between procuring entities and suppliers; streamlining procurement procedures across the government through standardization of processes and practices; and enhance procurement information management that will facilitate procurement planning, monitoring, evaluation and reporting.

The National Treasury has been employing a phased incremental approach to develop, test and pilot the e-GP system as indicated below;

- Phase I modules include: *Registration (Supplier and Procuring Entity), Annual Procurement and Disposal Plan, e-requisition, e-tender preparation, e-tender submission, e-tender evaluation, e-tender award, e-framework agreement, e-bid security and guarantee management module, contract management, e-Procurement Management Information System, Workflow management.*

Phase II modules include: e-Complaints; e-Compliance, e-Appeals, e-Debarment, performance management, Store Management, e-Auctions, e-Catalogues & Marketplace, e-Reverse Auction.

The e-GP system Phase I modules are complete and ready for rollout. The modules have been undergoing testing and piloting from **25th November, 2024** with the following procuring entities;

- i. The National Treasury;
- ii. State Department for Public Service;
- iii. State Department of ICT and Digital Economy;
- iv. Office of Auditor General;
- v. Ethics and Anti-Corruption Commission;
- vi. Kenya National Highway Authority;
- vii. Kenya Electricity Generating Company;
- viii. Moi Teaching and Referral Hospital;
- ix. Public Procurement Regulatory Authority;
- x. Busia County (Executive);
- xi. Makueni County (Executive) and;
- xii. Elgeyo Marakwet County (Executive).

The above-mentioned pilot procuring entities will effective **1st April, 2025** transition to the e-GP system to process their procurements.

B. e-GP SYSTEM ROLL-OUT

To ensure successful piloting and roll out of the e-GP system, The National Treasury has adopted the use of Training of Trainers (ToTs) model as one of its training methodologies. Dedicated ToTs have undergone an in-depth hands-on training on the e-GP system's functionality and will be training various users from Ministries, Departments and Agencies and Counties (MDACs) on the e-GP system modules as and when required. Additionally, the Kenya School of Government regional campuses (Nairobi, Baringo, Embu, Matuga, Mombasa) have been earmarked as e-GP training centers that will be offering standing classes as well as on-demand training on the e-GP system modules upon request by procuring entities.

The National Treasury has prepared a training programme on the e-GP system Phase I modules for end-users from procuring entities in both the National and County Governments including State Corporations. The training programme will commence on **7th April, 2025** at KSG campuses as per the attached schedule. The targeted e-GP system end-users to be trained on the functionalities and workflow of the e-GP system include the following;

- a) The Head of Supply Chain Management/Procurement Function;
- b) The Head of Directorates/Departments;

- c) Supply Chain Management/Procurement Officers;
- d) Public Finance Management Officers (Finance, Audit and Accounts);
- e) Technical Officers in User Departments;
- f) ICT officers; and
- g) Legal officers.

C. SUPPLIER REGISTRATION IN THE E-GP PORTAL

Suppliers are required to self- register on the e-GP portal that is accessible through www.egpkenya.go.ke. Procuring entities are therefore required to notify their registered suppliers on the following:

1. Suppliers may contact the support address indicated below in case of challenges faced during registration:
Email address: support@egpkenya.go.ke
Telephone: +254 (020) 3341030/3340400/3340433
2. Suppliers within Nairobi may visit e-GP offices situated on **6th Floor, Room 622 Treasury Building, Harambee Avenue** to receive registration assistance between **9.00 a.m.- 4.00 p.m.** Suppliers may also visit The National Treasury desk located in all Huduma Centres during office working hours.
3. Supplier Registration Module Manual is available on the e-GP Portal.
4. The National Treasury will be organizing weekly supplier registration webinar on Thursdays commencing **11th April 2025 to 30th May 2025**. Suppliers will be required to register for training through links provided on www.egpkenya.go.ke under Supplier Training Tab., Only suppliers who have registered for the training will be invited to the webinar.

D. REGISTRATION OF PROCURING ENTITIES IN THE E-GP SYSTEM

Procuring entities (not in piloting phase) and their user departments will be registered by The National Treasury in the e-GP system. The following information is required to facilitate the registration of a procuring entity:

1. Executive order or any other supporting documents establishing the procuring entity
2. Organization structure;
3. Official contact details (active telephone/mobile number, active contact email, website);
4. Address details (postal address, postal code, physical address, country, county, sub-county);
5. List of Directorates/Departments/Divisions/Units as established in the organization structure including their abbreviations for ease of identification in the e-GP system;
6. IFMIS Budget codes for the Directorates/Departments/Divisions/Units where applicable;
7. A letter authorizing/nominating Head of Procurement as the e-GP system Procuring Entity Administrator; and

8. A letter with the following details (Name, Copy of ID, Employee Number, Job title/designation, Active Mobile Number, Active Email), Accounting Officer and Head of Procurement to facilitate their registration

The purpose of this circular therefore is to bring to your attention the following:

- i. That the roll out date for the e-GP system to all Ministries, Departments, Agencies and Counties remains **1st April, 2025**. All procuring entities are expected to prepare for transition to the e-GP system by ensuring that there are registered, by providing the above listed requirements to facilitate registration, and that their users are trained on the e-GP system modules.;
- ii. That National Treasury has organized a training program for e-GP system users at **Kenya School of Government campuses** as per the attached schedule. Ministries, Departments and Agencies and Counties shall nominate officers to attend trainings as per the enclosed program. The National Treasury will meet the participants training costs at the Kenya School of Government while the MDAC's are required to cater for transport and daily subsistence allowances for the nominated officers;
- iii. That MDACs should submit to The National Treasury the particulars of nominated officers (name, designations and job groups of officers, employee number, email address and mobile contacts) who will attend the scheduled trainings by **31st March, 2025**. A soft copy of the same should be emailed to info@egpkenya.go.ke; and
- iv. The Judiciary, the Parliament, Independent Offices, State Corporations and Commissions shall be required to plan for a two-week training for at least **thirty (30) members of their** staff on the e-GP system Phase I modules between April and June 2025 The National Treasury shall be informed of the scheduled training dates and also provide the particulars of officers (names, designations, employee number and job groups of officers, email and mobile contacts) to be trained. A soft copy of the communication to be emailed to info@egpkenya.go.ke.



HON. FCPA JOHN MBADI-NG'ONGO, EGH
CABINET SECRETARY

Copy to: - **All Cabinet Secretaries,**

Mr. Felix Koskei, EGH
Chief of Staff & Head of Public Service
NAIROBI

FCPA Nancy Gathungu, CBS
Auditor General
NAIROBI

Chairman, Council of Governors

CEO, Council of Governors



REPUBLIC OF KENYA
THE NATIONAL TREASURY
STATE DEPARTMENT FOR PUBLIC INVESTMENTS AND ASSETS MANAGEMENT
OFFICE OF THE PRINCIPAL SECRETARY

Telegraphic Address: 22921
Finance - Nairobi
Telephone: 252299
When replying please quote

THE NATIONAL TREASURY
P.O. Box 30007
NAIROBI
KENYA

Ref: NT/PPD/1/3/14 TY. 3 (68)

23rd July, 2025

All Accounting Officers/Principal Secretaries of Ministries and State Departments
The Clerk, Senate
The Clerk, National Assembly
The Solicitor General
The Chief Registrar of the Judiciary
All CEOs/Accounting Officers of State Corporations and SAGAs
All County Executive Committee Member for Finance
All Clerks, County Assemblies
All Chief Executive Officers of Commissions and Independent Offices
All Accounting Officers, County Corporations
All Vice Chancellors of Public Universities
All Principals, Technical and Vocational Training Institutes
All Principals, Teachers Training Colleges

Dear

RE: GUIDELINES ON THE USE OF E-GP KENYA

I) Definition

- a) e-GP Kenya is a system that automates all procurement processes in compliance with the Public Procurement and Asset Disposal Act (PPADA), CAP 412 C and attendant Regulations.

II) General guidelines

- a) From 1st July 2025, only procurements undertaken through the e-GP Kenya will be sanctioned and paid for. For avoidance of doubt, The National Treasury shall not exempt any procurement to be carried outside the e-GP Kenya. Procuring entities facing challenges in implementation of e-GP shall contact The National Treasury for guidance.

- b) The e-GP Kenya financial year begins on 1st July and ends on 30th June. Procuring entities that have a different financial calendar shall be onboarded in the subsequent start of their financial year.
- c) National security organs and other procuring entities that deal with classified items are required to abide by Section 90 of the PPADA, CAP 412 C. e-GP Kenya does not provide for maintenance of dual lists and by extension procurement of classified items.
- d) Procuring entities shall ensure their procurement plans are approved within sixty days of the financial year.
- e) The e-GP Kenya shall be integrated with the Public Procurement Information Portal for publication of procurement information in line with PPRA Circular no. 02/2025 (Reference no. PPRA/6/5 Vol II (227)) on integration of the Public Procurement Information Portal with the electronic government procurement system.

III) e-GP Kenya Supplier Management

a. Supplier Registration

- i. The e-GP Kenya provides an online platform where government suppliers are registered to participate in public procurement opportunities.
- ii. Suppliers will self-register and maintain business profile in the e-GP Kenya.
- iii. The e-GP Kenya therefore shall manage and maintain a central database for all government suppliers. Procuring entities are required to encourage their suppliers to register with the e-GP system.

b. Procuring Entities Supplier Registration

- i. Section 57 of the PPADA, CAP 412 C read together with Regulation 44 requires the head of the procurement function of a procuring entity to maintain and update lists of registered suppliers, contractors and consultants in the categories of goods, works or services according to its procurement needs. In line with the aforementioned provisions, procuring entities shall register their suppliers outside the e-GP system.
- ii. The procuring entity shall ensure suppliers provide their e-GP system registration number during the registration process.

c. Government to Government Procurement

- i. Section 4 (c) of the PPADA, CAP 412 C states that acquiring of services provided by government or government department are not procurements or asset disposals with respect to the application of the Act.
- ii. The e-GP Kenya, therefore does not provide for registration of public entities as

- iii. The National Treasury recognizes the need to on-board public entities as suppliers in the e-GP system. This functionality shall be included in future e-GP system releases. In the meantime, Government to Government procurements shall be carried outside the e-GP System.

IV) e-GP Kenya Procuring Entity Registration

- a) In line with Sections 7(2)(c) and 64(2) of the PPADA, CAP 412 C read together with Regulation 24 and 54, The National Treasury shall ensure that all procuring entities are registered in e-GP Kenya to enable them to carry out their procurement and asset disposal processes. In this regard:
- i. The National Treasury shall register all procuring entities as provided in the Registration Circular NT/PPD 1/3/14 TY IV dated 26th June, 2025.
 - ii. The National Treasury shall register the Cabinet Secretary/Chairperson of the Board/ Authorizing officer, Accounting Officer and Head of Procurement on the e-GP system. The National Treasury shall be notified in writing of any changes in particulars of the aforementioned officeholders.
 - iii. The Head of Procurement who is the Procuring Entity (PE) System Administrator shall register entity's users in the e-GP system. In addition, all entity users MUST have appointment letters from their Accounting Officer to perform pre-defined roles the e-GP system. The PE System Administrator (Head of Procurement) shall ensure compliance with Section 45 of the PPADA, 2015 during registration of entity users and use of e-GP Kenya.
 - iv. The e-GP Kenya will be sending system generated email notifications to registered end-users. Procuring entities shall use official email addresses during registration of end-users. The ICT Department should ensure e-GP Kenya generated emails are not filtered by ICT security devices to allow end-users to receive e-GP Kenya email notifications. Specifically, emails from the domain *egpkenya.go.ke* should not be filtered.

V) Upload of the Budget in e-GP Kenya

a. Procuring entities using IFMIS for their financial management

- i. The National Treasury shall import the already existing budget code structure from IFMIS for the vote and administrative segments to register a procuring entity up to the user department level.
- ii. The National Treasury shall be uploading the approved annual budget at the beginning of each financial year and subsequent approved supplementary budgets for each procuring entity.
- iii. Procuring entities users at department level will be able to view the budget during the annual procurement planning.

b. Procuring entities using own Enterprise Resource Planning (ERP) systems for financial management

- i. The National Treasury will assign budget codes that will be used to customize the internal organization structure up to the user department level. The assigned budget codes will also be used to align their approved budget to the e-GP system budget template.
- ii. Queries/clarifications on the budget codes and e-GP budget template may be sent to budget@egpkenya.go.ke.
- iii. Procuring entities shall be required to submit their customized internal organization structure codes to The National Treasury for capturing in the e-GP system prior to uploading of their aligned procurement budget.
- iv. The Head of Finance shall be required to upload the institution's approved **annual procurement budget** at the beginning of each financial year and subsequent approved supplementary budgets.

VI) e-GP Kenya item master

- a) The e-GP Kenya has adopted the United Nations Standard Product and Service Code (UNSPSC) framework to assist procuring entities classify goods, works and services during procurement planning.
- b) The item master shall be centrally managed by The National Treasury.
- c) Procuring entities with procurable items not provided for in the UNSPSC listing are requested to email itemmaster@egpkenya.go.ke with inclusion.

V. User Management

- a) Delegation of tasks in the e-GP system shall be in line with the internal procurement policy of a procuring entity.
- b) The Accounting officer shall be responsible for a procuring entity's user management in the e-GP system. Procuring entity e-GP system users who have been transferred or exited the entity shall be deactivated by the PE Administrator.

VII) Bid-security management

- a) Reference is made to the PPRA Circular No. 1 of 2023 ref no. PPRA/6/5/VOL. II (72) which vacates the requirement of submission of tender securities in its original form in instances where the security issuer as provided mechanism(s) to verify securities such as use of QR code or an online portal.
- b) The e-GP Kenya shall use digital tender securities as guided by aforementioned PPRA Circular.

- c) Tender security providers shall be required to register in the e-GP system, attend to tender security requests from suppliers and furnish suppliers with the requested tender security.
- d) Suppliers shall be required to ensure that, before submitting a tender security in a procurement proceeding, such security shall have verification mechanism appended on it.

VIII) Integration of e-GP Kenya with IFMIS or ERPs

- a) To allow for seamless flow of data from the e-GP Kenya to the financial management systems, The National Treasury shall publish Application Program Interface (APIs) which will import or export data to/from IFMIS and Enterprise Resource Planning (ERP) used by procuring entities.
- b) Integration of e-GP Kenya with state corporation ERPs will be on case-by-case basis and state corporations are requested to liaise with the National Treasury once the API's are published.
- c) The broad integration touch points have been identified as follows:
 - i. Budgeting
 - ii. Requisition
 - iii. Purchase order generation
 - iv. Payment
- d) To facilitate payment to suppliers, procuring entities without an ERPs, or not in IFMIS, or not integrated with e-GP system, shall be required to print supporting documents arising from a procurement process carried out in the e-GP system.

IX) On-going contracts/ Framework agreement/Low value procurements

- a) The e-GP Kenya records and keeps data including metadata for a procurement proceeding from procurement plan through contract management to payment and contract closure. An audit trail in regard to the procurement is also maintained.
- b) Since ongoing/existing contracts including framework agreement, were not originally planned under the e-GP system and the system lacks records or data for such contracts, no existing contracts shall be entered into the e-GP system.
- c) Accordingly, procurement entities are hereby directed to exclusively utilize the e-GP Kenya for the planning and initiation of new procurement activities within the current fiscal year.
- d) Low value procurements, where payment shall be in cash shall be processed in line with the entities procurement policy and not through the e-GP Kenya unless otherwise directed.
- e) For existing contracts to be approved for payment, only those duly reported to the Public Procurement Regulatory Authority (PPRA) in compliance with

- PPRA Circular No. PPRA/4/2022 (Reference: PPRA/6/5 Vol. I (234)) on mandatory reporting requirements by procuring entities, shall be processed.
- f) All Accounting Officers are hereby directed to ensure strict compliance with the provisions outlined in Public Procurement Regulatory Authority (PPRA) Circular No. PPRA/3/2025 (Reference: PPRA/6/5 Vol. II (228)) on processing of framework agreements and framework contracts during the transition to the electronic government procurement system. For avoidance of doubt, existing framework agreements, framework contracts and multi-year contracts shall not be processed in the e-GP system. The aforementioned contracts shall not be extended.

X) Pending Bills

Pending bills emanating from procurements undertaken in the financial years prior to 2025/2026 shall be processed outside the e-GP system in line with IFMIS procedures of processing pending bills

X) Payment of Utilities

Payment of utilities e.g. water, electricity, rent and telephone expenses shall be processed outside the e-GP system.

XII) Procurements under Development Partner Projects

- a) Where development partners have specified in the financing agreement the applicable procurement procedures for processing procurements under the subject project, such procurements shall be carried out of the e-GP system
- b) For avoidance of doubt (a) above does not apply where the financing agreement has not specified the procurement procedure to be used. In that case, the PPADA, CAP 412 C shall apply and therefore procurement under the subject project shall be processed through the e-GP system.

XI) Training, user manuals and videos

- a) From time to time The National Treasury will be issuing guidance on available training opportunities for various groups of the e-GP Kenya users. All training requests shall be addressed to The National Treasury. The training request shall include the details of the officers (name, employee number, designation, email and telephone contacts) nominated for training and a soft copy of the communication be emailed to training@egpkenya.go.ke.
- b) e-GP Kenya users are encouraged to use the published manuals and videos published on the e-GP Kenya website www.egpkenya.go.ke to upscale their skills on e-GP system modules. The e-GP system user manuals and videos are based on the e-GP system modules.

- c) The National Treasury has entered into a Memorandum of Agreement with The Kenya School of Government for provision of training services and will publish a training calendar on the e-GP Kenya system modules in due course. To facilitate hands-on training, a dedicated training environment has been established at training.egpkenya.go.ke. This environment shall serve as the primary platform for all e-GP system training sessions.

XII) Help desk support

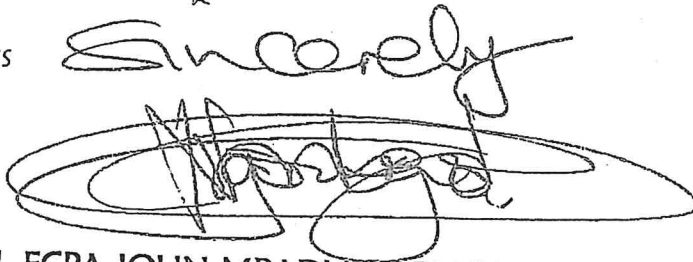
- a) In case of any challenges e-GP Kenya users can reach out the following contacts for support:

Email address: pesupport@egpkenya.go.ke

Telephone: +254 (020) 254 20 2252299, +254 (020) 3341030/ 3340400 /3340433.

- b) e-GP Kenya users may also visit e-GP offices situated on **6th Floor, Room 622 Treasury Building, Harambee Avenue** to receive assistance between **9.00 a.m.- 4.00 p.m.**

Yours



**HON. FCPA JOHN MBADI NG'ONGO, EGH
CABINET SECRETARY**

Copy to: - **Mr. Felix Koskei, EGH**
Chief of Staff & Head of the Public Service
Executive Office of the President
Nairobi

All Cabinet Secretaries

FCPA Nancy Gathungu, CBS
Auditor General
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Mrs. Mary Mwiti
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Director General

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