

Decision No. (61) of 2013

Regarding the System for Registration and Classification of Suppliers, Contractors, and Consultants in the Government of Ajman

The Ruler's Representative for Administrative and Financial Affairs / Head of the Department of Finance:

- Having reviewed Emiri Decree No. (11) of 2011 issuing the Financial Law of the Government of Ajman,
- And Emiri Decree No. (15) of 2012 regarding the Department of Finance, in Ajman,
- And Emiri Decision No. (12) of 2011 issuing the Executive Regulations of the Financial Law,
- And Decision No. (128) of 2011 regarding the adoption of the Financial Policies and Procedures Manual. And for the requirements of the public interest, it is decided as follows:

Article No. (1) Name of the Decision and its Entry into Force

This decision shall be named "Decision No. (61) of 2013 regarding the System for Registration and Classification of Suppliers, Contractors, and Consultants in the Government of Ajman" and shall come into force starting from the first of January 2014 AD.

Article No. (2) Definitions

The following words and phrases, wherever mentioned in this system, shall have the meanings assigned to each of them, unless the context requires otherwise:

The State: The United Arab Emirates

The Emirate: The Emirate of Ajman

The Department: The Department of Finance in Ajman

The Competent Authority: The Director General of the Department

The System: The System for Registration and Classification of Suppliers, Contractors, and Consultants in the Government of Ajman issued under this decision

Registration and Classification Instructions: The instructions for registration and classification of suppliers, contractors, and consultants issued by the Department under this system

Register of Suppliers and Contractors: A register managed by the Department for the registration and renewal of qualified suppliers, contractors, and consultants authorized to deal with the departments of the Government of Ajman.: The Procurement Committee in the Department of Finance

Classification: The classification of suppliers, contractors, or consultants according to the category they deserve based on their technical, administrative, and financial capabilities and experience, in accordance with the provisions of this system and the instructions issued thereunder

Supplier: Any company or establishment that obtains the necessary license from the competent authority in the State to practice the supply of materials or the provision of services in a field that corresponds with its activity, and is qualified for that according to the Department's conditions.

Contractor: Any company or establishment that obtains the necessary license from the competent authority in the State to practice contracting works in any field, including maintenance and construction projects, and is qualified for that according to the Department's conditions.

Consultant: Any company that obtains the necessary license from the competent authority in the State to practice design and supervision of construction projects, and is qualified for that according to the Department's conditions

Category Field: Any category of classification stipulated in this system.: Any field of supply works, service provision, contracting, or design and supervision of construction projects.

Specialization Design and Construction Projects: Any specialized work that falls under any field.: Projects designed by the consultant and executed by the contractor in accordance with what is specified by the registration and classification instructions.

Article No. (3) Scope of the System's Application

The provisions of this system shall apply to all suppliers, contractors, and consultants who practice the business of supply, service provision, contracting of all kinds, and the design and supervision of construction projects in the departments, institutions, and administrations of the Emirate's government, to whom the unified financial system of the Government of Ajman applies.

Article No. (4)

No supplier, contractor, or consultant may practice the works referred to in Article (8) of this system in the Emirate's government unless they are classified according to the provisions of this system and registered in the Register.

Article No. (5) Registration and Classification

1. The Department shall be exclusively responsible for the registration and classification of suppliers, contractors, and consultants in the Emirate's government.
2. A register named (Register of Suppliers and Contractors) shall be established in the Department, in which all qualified suppliers, contractors, and consultants with the Department are recorded.

Article No. (6)

The competent employees of the Department shall carry out all procedures related to the registration and classification of suppliers, contractors, and consultants in accordance with the provisions of this system.

Article No. (7)

The registration and classification of suppliers, contractors, and consultants shall be done according to the categories shown in Annex No. (1).

Article No. (8)

For the purposes of registration and classification, suppliers, contractors, and consultants are divided according to the activities shown in Annex No. (2). In the event that another activity arises that requires its addition to the activities mentioned below, the approval of the competent authority in the Department must be obtained for its addition.

Article No. (9)

The conditions, foundations, requirements, and procedures for the registration and classification of suppliers, contractors, or consultants shall be determined according to the following:-

1. Financial status.
2. Human resources.
3. Technical status.
4. Previous experience. 5
5. Quality requirements
6. Any other requirements determined by the Department.

Article No. (10)

In the event that a supplier, contractor, or consultant wishes to register in the Register of Suppliers and Contractors, the following must be done:

1. The concerned body in the Department shall explain the instructions for registration and classification to the supplier, contractor, or consultant.
2. The supplier, contractor, or consultant shall fill out the registration and classification form by accessing the website designated for registration and classification procedures at the Department.
3. The concerned employee at the Department of Finance shall audit the data filled in the registration form and the supporting documents attached to the said registration form.
4. In the event of any comments or deficiencies in the data of the supplier, contractor, or consultant, they shall be notified in writing via email, so that they can be completed, and then proceed with the registration procedures in accordance with the provisions of this system.

5. In light of the data filled by the supplier, contractor, or consultant in the relevant registration and classification form via the website, the system will automatically determine the evaluation score as stated in Annex No. (1) of this system, after verification of its accuracy by the concerned body in the Department.
6. Payment by the supplier, contractor, or consultant of the prescribed registration fee.

Article No. (11)

The concerned employees of the Department shall examine the applications of suppliers, contractors, and consultants and study them from the technical and financial aspects and everything related to classification, based on the data filled in the relevant registration form and its attached supporting documents. Then, the decision to accept or reject the application shall be issued by the official in charge of registration at the Department within (3) working days from the date of submitting the completed application.

Article No. (12)

1. The concerned employees of the Department shall notify the supplier, contractor, or consultant of the decision to accept or reject their registration and classification by any means that ensures their knowledge thereof, within a period of (3) working days from the date of the decision's issuance, provided that the decision to reject their registration and classification is reasoned.
2. Upon approval of the registration and classification of the supplier, contractor, or consultant, they shall be automatically registered in the Register after paying the prescribed fee. They will then be granted a registration and classification certificate that includes the registration date and duration, the category, and the field of specialization in which they were classified, according to the approved form in the Department.

Article No. (13)

1. The validity period for the registration of a supplier, contractor, or consultant in the Register of Suppliers and Contractors shall be for one calendar year from the date of registration.
2. The registration of suppliers, contractors, and consultants in the Register of Suppliers and Contractors shall be renewed annually within a period of (30) days from their registration expiry date. If the registration of the supplier, contractor, or consultant is not renewed during this period, their registration in the Register shall be canceled. In case they wish to re-register after the renewal period has expired, they shall be registered anew in accordance with the provisions of paragraph (1) of this article.

Article No. (14)

A supplier, contractor, or consultant who has filled out the registration form on the website but has not completed their registration procedures within a maximum period of (90) days shall have their registration application considered void, and they must submit a new application for registration if they still wish to register.

Article No. (15)

A supplier, contractor, or consultant may request to amend their classification category in accordance with the registration and classification requirements. In the event of a downgrade of their classification category, they may not be re-upgraded unless they provide new experience executed after the downgrade, provided that the upgrade occurs upon renewal.

Article No. (16)

Contractors or consultants may not execute contracting works or design and supervision of contracting works except in the category in which they are classified and the category immediately below it only.

Article No. (17)

Without prejudice to the penalties and provisions stipulated in the applicable laws, if a supplier, contractor, consultant, or any of their employees commits a violation of the provisions of this system, any of the following penalties may be taken against them:

1. Warning
2. Suspension from dealing for a period of six months
3. Downgrading the classification category by one or more categories.
4. Cancellation of classification in any of the cases stipulated in Article (18) of this system.

Article No. (18)

The registration and classification of a supplier, contractor, or consultant may be canceled in any of the following cases:

1. If they practice the execution of supplies or works in a specialization or category for which they are not classified.
2. If they issue or broadcast bulletins or other means of advertising with the intent to mislead that they have the right to practice supply or execution of works despite being suspended from practicing the activity.
3. If they practice the execution of new supplies or works after being suspended from doing so.
4. If they were registered or classified unlawfully or by providing forged or incorrect data or submitting documents and certificates that do not conform to reality.

Article No. (19)

If the registration and classification of a supplier, contractor, or consultant is canceled in accordance with the provisions of Article (18) of this system, they may not be registered and classified again until after a period of not less than two years has passed from the date of the cancellation decision.

Article No. (20)

No penalty shall be imposed on a supplier, contractor, or consultant registered and classified within the Register except after notifying them in writing of the violation attributed to them, and the decision issued to impose the penalty or cancellation must be reasoned.

Article No. (21)

Any interested party may appeal any decision issued in accordance with the provisions of this system within (20) working days from the date of being notified of the decision they wish to appeal, provided that the appeal is in writing and reasoned. The Procurement Committee at the Department must consider the appeal and decide on it within (30) working days from the date the appeal was submitted. If this period expires without a decision on the appeal, the appeal shall be considered accepted. The appellant has the right to their appeal or complaint.

Article No. (22)

1. Appeals or complaints submitted by the supplier, contractor, or consultant shall be presented to the Procurement Committee at the Department for a decision. The committee shall meet whenever necessary, and the meeting shall be valid with the attendance of the majority of its present members. In case of a tie in votes, the side of the chairman shall prevail.
2. The secretary of the committee must register the appeals submitted to the Department in a special register immediately upon receipt, mark the appeal with the submission number and date, and provide the submitter with a receipt that includes the name of the appellant, the subject, its registration number in the register, its date, and the attached documents.
3. The committee may seek assistance from any experts and specialists it deems appropriate to help it with any of the tasks and powers entrusted to it.

Article No. (23)

Any interested party may challenge the decision issued against them regarding their appeal submitted to the Procurement Committee, in accordance with the provisions of this system, before the Competent Authority within (30) working days from the date of their knowledge of the decision. Their right to challenge before the Competent Authority shall be forfeited after the expiry of this period.

Article No. (24)

The Competent Authority in the Department is responsible for deciding on appeals against decisions issued by the Procurement Committee that relate to the competencies assigned to it under this system.

Article No. (25)

All suppliers, contractors, or consultants registered in the Department's register at the time this system comes into effect must regularize their status in accordance with the provisions of this system immediately upon the expiry of their registration, provided that the regularization period ends within one year from the date this system takes effect.

Article No. (26) General Provisions

No government department may contract with a supplier, contractor, or consultant who has not been registered and whose name is not listed in the register.

(1) Suppliers and Contractors.

(2) The Department must monitor the performance of suppliers, contractors, and consultants registered in the register by conducting periodic evaluations of their performance based on standardized criteria and principles to measure their performance.

(3) All relevant government departments of the Government of Ajman are entitled to view the list of qualified suppliers, contractors, and consultants with the Department by accessing the Department's website and viewing the system for the registration and classification of suppliers, contractors, or consultants.

(4) An exception to the registration requirement is made upon the approval of the Director-General of the concerned government department in cases of purchasing from exclusive agents only.

(5) The Department and all other government departments shall comply with the provisions contained in the Unified Financial System of the Government of Ajman.

Article No. (27)

Any provision, wherever it appears in any other legislation or system, that contradicts the provisions of this system shall be repealed.

Article No. (28)

This system shall be published in the Official Gazette of the Emirate and shall come into effect as of 01/01/2014.

Issued on: 20 / November 2013

Ahmed bin Humaid Al Nuaimi

Ruler's Representative for Administrative and Financial Affairs

Appendix No. (1)

Regarding the Classification of Suppliers, Contractors, and Consultants into Categories

No.	Category	Evaluation Grade	Description
1	Suppliers	A	Achieving a score of 80% or more (*)
		B	Achieving a score from 50% to less than 80% (*)
		C	Achieving a score of less than 50% (*)
2	Contractors	A	Achieving a score of 80% or more (*)
		B	Achieving a score from 50% to less than 80% (*)
		C	Achieving a score of less than 50% (*)
3	Consultants	A	Achieving a score of 80% or more (*)
		B	Achieving a score from 50% to less than 80% (*)
		C	Achieving a score of less than 50% (*)

(*) According to the evaluation in the electronic system applied by the Department of Finance in this regard.

Appendix No. (2)

Suppliers, contractors, and consultants are divided by activities as follows:

1- Suppliers:

No.	Activity
1	Various computers and servers
2	Printers & scanners
3	Computer networks (wired and wireless)
4	Computer software
5	Low voltage electronic systems
6	Electrical devices and equipment
7	Office equipment
8	Office furniture
9	Light saloon cars
10	Heavy construction equipment and machinery
11	Building materials
12	Laboratory and medical devices
13	Plastic products
14	Agricultural materials and fertilizers
15	Electromechanical works
16	Police equipment, services, and various materials
17	Printers & scanners
18	Advertising services
19	Garbage containers
20	Printing works

No.	Activity
21	Tools
22	Stationery
23	Firefighting equipment
24	Surveying equipment
25	Consulting and legal services
26	Training services
27	Various maintenance services
28	Travel ticket services
29	Hotel and hospitality services

2- Contractors:

No.	Activity
1	Building projects Construction and maintenance of all types of buildings Construction of metal structures
1	Road projects Construction and maintenance of main and secondary roads Construction and maintenance of rainwater drainage networks Construction and maintenance of bridges, tunnels, and intersections

3- Consultants:

1	Building projects Consulting for all types of buildings Consulting for metal structures
2	Road projects Consulting for main and secondary roads Consulting for rainwater drainage networks Consulting for bridges, tunnels, and intersections
3	Other consultations According to the trade license