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GUIDELINES FOR STRATEGY IMPLEMENTATION TASK OFFICE  
FOR PRESIDENTIAL EXECUTIVE ORDER NO 5  
(SITOPEO-5)



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S. I. No. 32 of 2020

GUIDELINES FOR STRATEGY IMPLEMENTATION TASK OFFICE  
FOR PRESIDENTIAL EXECUTIVE ORDER NO 5  
(SITOPEO-5)

[31st Day of March, 2020]

Commence-  
ment.

1. The President of the Federal Republic of Nigeria signed into law Presidential Executive Order No. 5 on the 2nd of February, 2018 on Planning and Execution of Projects, Promotion of Nigerian Content in Contracts, Science, Engineering and Technology. The Order is published in the Federal Government Official Gazette No. 25 dated 5th February 2018 Vol. 105 (Government Notice No. 53), Pursuant to the approval of Mr. President dated 17th February, 2020, the STRATEGY IMPLEMENTATION TASK OFFICE FOR PRESIDENTIAL EXECUTIVE ORDER No.5 ("SITOPEO-5") has been established in the Federal Ministry of Science and Technology, under the supervision of the Honourable Minister of Science and Technology for the effective implementation of the Presidential Executive Order No.5 (Administration, Facilitation, Implementation, Monitoring of the provisions of Executive Order No. 5), hence the need for the institutional framework and guidelines to achieve the aims and objectives of the Presidential Executive Order No. 5 and directives of the President has become a necessity.

Preamble.

2. The aims and objectives of the SITOPEO-5 are to—

Aims and  
objectives of  
SITOPEO-5.

(a) entrench Science, Technology and Innovation (STI) towards achieving the nation's development goals across all sectors of the economy, particularly in the Science, Technology and Innovation Strategy (STISA) 2024, STISA 2063, SDG 2030 and Vision 20; 2020;

(b) propagate the vital role of Science, Technology and Innovation (STI) in National Economic Development (NED), particularly in the area of promoting Made in Nigeria Goods and Services (MNGS);

(c) collaborate with relevant Ministries, Departments, and Agencies (MDAs) and Organisations, to promote the application of science, technology and innovation in all sectors of the Nigerian economy;

(d) encourage and increase the quantum of value created in Nigerian economy through increased Nigerian adaptation in public procurement;

(e) compliment and strengthen the Federal Ministry of Science and Technology, under the Economic Recovery and Growth Plan (2017-2020), to promote "Made in Nigeria Goods Campaign";

(f) promote domestic and foreign investments through creation of employment and stimulation of national economy through Science, Technology and Innovation (STI);



(g) develop home grown capability and capacity to maintain, re-design, re-produce, domesticate and duplicate any infrastructure that is built in Nigeria for self-reliance and development ;

(h) monitor and promote capacity building of Nigerian professionals and contractors involved in Science, Engineering and technological programmes to compete with their counterparts globally in line with international standard and best practices in the following areas—

- (i) industrial growth,
- (ii) metrology,
- (iii) human capital development,
- (iv) agriculture,
- (v) health,
- (vi) environment energy,
- (vii) banking and finance,
- (viii) communications technology,
- (ix) women and youth empowerment,
- (x) job creation,
- (xi) tourism,
- (xii) trade,
- (xiii) science acculturation,
- (xiv) water resources,
- (xv) meteorology,
- (xvi) natural resources,
- (xvii) building construction,
- (xviii) national security,
- (xix) nuclear science and technology,
- (xx) sports and recreation,
- (xxi) diplomacy, transportation, etc. ; and

(i) monitor and ensure the acceleration of the process of technology acquisition and utilization for rapid and sustainable growth and development of the Nation.

Application  
of this  
Guidelines.

3.—(a) These Guidelines shall apply to—

(i) execution of projects, programmes and contracts in line with implementation of Executive Order No. 5 ; and

(ii) administration, facilitation, monitoring and evaluation of the Executive Order No. 5 viz-a-viz compliance by MDAs.

(b) notwithstanding the provisions of these Guidelines, the Institutional framework for SITOPEO-5 is Executive Order No. 5 published in the Federal Government Official Gazette No. 25. dated 5th February 2018 Vol. 105.

Establishment  
of the  
SITOP EO-5.

4. There is established by the President, a SITOP EO-5 for the administration, facilitation, implementation, monitoring and evaluation of the provisions of Executive Order No. 5, under the Office of the Honourable Minister of Federal Ministry of Science and Technology.

Functions  
and powers  
of  
SITOP EO-5.

5.—(1) SITOP EO-5 shall monitor and ensure that—

(a) procuring entities in Nigeria give preference to Nigerian companies, firms and domestic companies in the award of contracts, in line with the Public Procurement Act 2007 ;

(b) where expertise is lacking, procuring entity shall only give preference to foreign companies or firms with demonstrable and verifiable plan for indigenous capacity development, prior to the award of such contracts ;

(c) MDAs engage indigenous professionals in the planning, design and execution of national security projects and consideration shall only be given to a foreign professional, where it is certified by the appropriate authority that such expertise is not available in Nigeria ;

(d) Nigerian companies or firms duly registered in accordance with the laws of Nigeria and with current practicing licence, lead in any consultancy service involving joint venture relationships and agreements, relating to law, engineering, ICT, architecture, procurement, quantity surveying, and etc., to be awarded by MDAs ;

(e) before the award of any contract by MDAs, Nigerian counterpart staff are engaged from the conception stage to the end of the project ;

(f) MDAs shall adopt local technology to replace foreign ones, where they meet set standards ;

(g) the Ministry of Interior and other visa issuing authorities desist from giving visa to foreign workers, whose skills are readily available in Nigeria ;

(h) margin of preference is introduced in national competitive bidding, in the evaluation of tenders, from indigenous suppliers of goods manufactured locally over foreign goods in line with Executive Order 5 ;

(i) foreign companies or firms shall not be engaged in contracts for works, goods and services in Nigeria in violation of the international best practices, Chapter 3 of the Companies and Allied Matters Act (CAMA) Cap C20, LFN, 2004, Section 11(2) of the Council for Regulation of Engineering (COREN) Act, 2004, (Engineers registration etc., Cap E11, 2004), sections 5, 11(8) and 11(9) of the Chartered Institute of Purchasing and Supply Management Act 2007 (CIPSMN Act. Cap, C53, LFN 2007), the Public Procurement Act, 2007 and other relevant laws and Regulations on acquisition of technology and conduct of public procurement in Nigeria ;

(j) MDAs comply with the requirement that professional practicing in Nigeria is duly registered with the appropriate regulatory body in Nigeria ;



(k) MDAs comply with Agreements involving any Joint Venture and Public Private Partnership (PPP) between a foreign firm and a Nigerian firm, for technology acquisition or otherwise, shall be registered with the National Office for Technology Acquisition and Promotion (NOTAP) in accordance with NOTAP Act CAP 62 LFN, 2004, before such contracts are signed by the MDA ;

(l) foreign professional certificates are domesticated with the relevant statutory professional bodies before being considered for any contract award, employment, or otherwise in Nigeria ;

(m) documents issued by MDAs for the solicitation of offers, bids, or quotations for the supply or provision of goods, works and services shall expressly indicate the preference to be granted to domestic manufacturers, contractors and suppliers, and service providers in order to establish the eligibility of a bid for such preference ;

(n) solicitation documents shall obligate bidders or potential manufacturers, suppliers, contractors and consultants to provide a verifiable statement on the local content of goods or services to be provided ;

(o) local manufacturers shall meet set standards of relevant regulatory bodies and agencies before presenting the goods for procurement under the national competitive bidding or any other type of Public Procurement Process ;

(p) suppliers and contractors under national competitive bidding process shall disclose local material (processed or unprocessed), where available and needed for the execution of the project ;

(q) consultancy contracts awarded to foreign companies, engineering drawings, necessary calculations, design, etc, are made available to their corresponding Nigerian partners, including arrangements with Small and Medium Enterprises (SMEs) as partners towards local production of needed materials ; and

(r) designs for all contracts, programmes, and projects, shall be in English language before such contracts are signed.

(2) The MDAs shall—

(a) take steps to encourage indigenous professionals in diaspora to return home and use their expertise to develop Nigeria ; and

(b) promote mutually beneficial Public Private Partnership (PPP) by encouraging direct collaboration in production and manufacturing ventures of products, such as fittings, spare parts, domestic wares and etc., between foreign manufacturers and indigenous engineering facilities and those to be brought in by investors at reasonable cost to the MDAs.

(3) The Federal Ministry of Science and Technology shall—

(a) establish centre for acquisition of technology in the six geopolitical zones of Nigeria, subject to availability of funds for the promotion of technology utilization, strengthening of technology management capability and information system ; and

(b) collaborate with relevant MDAs to promote Research and Development in all sectors of the economy, including ICT, in line with the existing NITDA Act and subject to the approval of the Federal Executive Council on ICT.

(4) The National Information and Technology Development Agency (NITDA) shall review the status of ICT in all MDAs.

(5) The Federal Ministry of Education shall encourage the inclusion of Public Procurement Process in the Secondary School Curriculum.

(6) The Federal Government is encouraged to provide intervention funds to improve existing training programmes in Nigerian Universities, Polytechnics, Technical Schools and Trade Centres and establish new programmes to cope with the demands of emerging technologies.

(7) MDAs shall ensure that the standards of control and regulation for infrastructural development in the country are maintained.

(8) MDAs shall work with the Organised Private Sector (OPS), in consultation with other relevant government agencies both at the Federal and state levels to achieve sustainable personnel Development, Training of Nigerian professionals, Contractors and Technocrats contractors.

(9) The Ministry of Defence shall make effective use of the Army Engineering Corps (AEC) and other professionals in the Security Agencies to execute projects in line with the Public Procurement Act, 2007.

(10) The Federal Ministry of Industry, Trade and Investment in collaboration with the Federal Ministry of Science and Technology shall promote the acquisition of bulk product manufacturing licences from foreign manufacturers for the use of locally trained Medium and Large-scale manufacturers.

(11) A Nigerian company or firm shall not be disqualified from an award of contracts by MDAs on the basis of the year of incorporation; but rather, on the basis of qualification, competence and experience in the management and the execution of such contracts.

(12) The National Office for Technology Acquisition and Promotion (NOTAP) develops, maintains and regularly update a database of Nigerians with expertise in Science, Engineering, Technology and other fields of expertise.



(13) The Ministry of Interior shall—

(a) take into consideration the manpower data base of NOTAP, Federal Ministry of Science and Technology, Federal Ministries of Power, Works and Housing, Nigerian Academy of Science, Nigerian Academy of Engineering, Nigerian Content Development and Monitoring Board, Ministry of Petroleum Resources, and etc., in determining the availability of local skilled manpower in science, technology and innovation for the grant of expatriate quota ;

(b) grants Expatriate Quota for projects contracts and programmes in line with the provisions of the Immigration Act and other relevant laws and where qualifications and competency of Nigerian Nationals are not available or cannot be ascertained, that the issuance of quota to foreigners is contingent on training such number of person as may be required for the execution of the contract or project ; and

(c) where necessary, create a special immigration classification to encourage foreign expatriates, particularly from African countries, with skills that are not available in Nigeria, to reside and work in Nigeria for the purpose of sharing knowledge with Nigerians.

(14) Companies or firms executing projects in MDAs using local materials shall comply with approved standard and quality set by the appropriate regulatory agency in Nigeria.

(15) MDAs engaging the services of small and medium scale industries in accordance with the Public Procurement Act, 2007 for the local production of construction materials, such as burnt clay bricks, roofing sheets, timber products and sanitary wares, for the construction and infrastructural development of projects in Nigeria, shall comply with approved standard and quality.

(16) Indigenous small and medium scale producers of building and infrastructural development materials shall be encouraged with incentives, including single digit interest on loans.

(17) For multi-year contracts under the national and international competitive bidding, restricted bidding or any other type of procurement process involving high volumes of consumables, equipment such as printers, photocopiers, air conditioners, fridges, ink cartridges, etc., within a maximum period of 5 years of the contracts, shall establish a local manufacturing facility in the country to continue the supply.

(18) The Standard Organisation of Nigeria (SON) shall collaborate with relevant MDAs standardise and certify SMEs raw materials, products, processes and personnel, in accordance with best practices and any certificate for such certification issued shall be included in the solicitation documents.



(19) Research work and value addition for indigenous agricultural products shall take place in Nigeria and the agricultural products shall not be exported unless they are processed and approved by the relevant authority.

(20) The Federal Ministry of Finance and Federal Inland Revenue Services shall follow up—

(a) on existing machine tools companies, including foundries, machine shops, forge shops and indigenous artisans with a view to being granted tax incentives to boost production of their products ; and

(b) on SMEs and foreign firms for the utilization of local raw materials, after same have been authenticated by the Raw Materials Research and Development Council (RMRDC) to enable.

(21) MDAs shall use Nigerian codes and standards to domesticate relevant international standards as may be applicable for construction and infrastructural development.

(22) MDAs implement projects, programmes and contracts with science, engineering and technology components in line with Nigerian Codes and Standards and where other codes and standards exists, they shall be mutually agreed upon by both parties.

(23) The BPP shall periodically develop new public procurement threshold that shall guarantee acquisition of technology in contracts, programmes and projects relating to works, goods and services within and outside the oil sector, with inputs from the Federal Ministry of Science and Technology, Office of the Secretary to the Government of the Federation, Federal Ministry of Industries, Trade and Investment, Office of the Head of the Civil Service of the Federation, Ministry of Petroleum Resources , Ministry of Power, Federal Ministries of Works and Housing and Ministry of Justice for approval of the National Council on Public Procurement as it relates to—

(a) “*works*”—to consider national competitive bidding with respect to projects valued at ₦5.0 billion and below, where the competence and expertise are available locally ;

(b) “*supply of goods*”—to consider national competitive bidding for supply of goods valued at ₦1.0 billion and below, where the competence and expertise are available locally ;

(c) “*non-consultancy services*”—to consider national competitive bidding for non-consultancy services valued at ₦1.0 billion and below, where the competence and expertise are available locally ; and

(d) “*consultancy services*”—to promote projects designs for contracts, whether by a foreign consultancy firm domiciled in Nigeria or a Nigerian firm, valued at ₦1.0 billion and below shall be reserved for national competitive request for proposals, where the competence and expertise are available locally.

(24) The SITOPEO-5 shall carry out administrative investigation into all complaints against any person, MDAs or private organisation with respect to non-compliance with the Executive Order No. 5, as it relates to Planning and Execution of Projects, Programmes and Contracts with Science, Engineering and Technology components and make prompt report to the Council through the Minister of Science and Technology.

(25) The SITOPEO-5 shall monitor and ensure that MDAs—

(a) comply with the Executive Order No.5 in all their respective Programmes, Projects and Contracts with Science, Engineering and Technology components funded from the consolidated revenue of Federal Government of Nigeria or in contracts where the Federal government is contributing up to 35% of the total cost of the project or contract from any other account including the Federation account and make prompt reports of the performance of MDAs to the Council through the Minister of Science and Technology ;

(b) develop and implement strategies for private sector participation in accordance with the Planning and Execution of Projects, Programmes and Contracts with Science, Engineering and Technology components, in line with Executive Order 5 and other extant rules and laws ;

(c) collaborate with NGOs and professional bodies in areas that are relevant towards Planning and Execution of Projects, Programmes and Contracts with Science, Engineering and Technology components as it relates to Executive Order No. 5 and other extant rules and laws ;

(d) establish information network in line with extant rules and laws to promote exchange of information in order to facilitate communication and transmission of data with respect to implementation of Executive Order No. 5 ;

(e) develop and monitor strategies in collaboration with Federal and state institutions, to utilise the capacity of Nigerian professionals, manufacturers and Contractors in the exploitation and management of our natural resources (substances occurring naturally in the earth and having a constituent and distinctive set of physical properties like colour, hardness and crystalline structure, whose composition can be expressed by a chemical formulae) in line with Executive Order No. 5 ;

(f) develop strategies in liaison with federal and state institutions, to build capacity of Nigerian professionals, manufacturers and contractors to reduce the export of feed stock or unprocessed material from Nigeria and improve on their local utilisation for production of goods ;

(g) develop strategies for effective private sector participation in Planning and Execution of Projects, Programmes and Contracts with Science, Engineering and Technology components in line with Executive Order No. 5 and other extant rules and laws ;



(h) develop strategies to ensure there is increase in the quantum or composite value added to or created in the Nigerian economy by a systematic development of capabilities through deliberate utilization of Nigerian human, material resources and services in the execution of Nigerian Projects, Programmes and Contracts with Science, Engineering and Technology components in line with Executive Order 5 ;

(i) develop strategies for the acceleration of technology acquisition and utilization for rapid and sustainable growth and development of the nation as well as home grown capability and capacity to maintain, re-design, re-produce, domesticate and duplicate any infrastructure that is built in Nigeria for self-reliance and development in line with Executive Order 5 ;

(j) develop strategies to improve on the role of inventors and proprietors of promising technologies in Nigeria in furtherance of product perfection and commercialization in line with Executive Order No. 5 ;

(k) conduct sensitization seminars and workshops for the promotion of Nigerian Local adaptation in the development of goods and services with Science, Engineering and Technology components ; and

(l) carry out such other activities as are necessary for the success and implementation of the Presidential Executive Order No. 5.

6.—(1) The Minister shall appoint a National Coordinator SITOPEO-5" (hereinafter referred to as National Coordinator), in accordance with Presidential directive of 17th February, 2020.

Appointment  
of National  
Coordinator,  
SITOPEO-  
5".

(2) The National Coordinator shall hold office on such terms and conditions as may be specified in his letter of appointment.

(3) The National Coordinator shall be the head of SITOPEO-5 and shall be responsible for the execution of the policy and day to day administration of the SITOPEO-5.

(4) The tenure of office of the National Coordinator shall be 4 years in the first instance and may be renewed for another 4 years and no more.

(5) The National Coordinator shall have a minimum qualification of a university degree in either Science, Technology, Engineering and other relevant disciplines or its equivalent with minimum of 15 years post qualification experience.

(6) The National Coordinator shall be a Fellow of his professional body.

7. The National Coordinator may be removed from office by the Minister in line the existing extant rules on head of Federal Government Institutions and organisations or at the instance of the President on the basis of gross misconduct, fraud or any action that is contrary to the objectives of the Executive Order No 5.

Removal or  
termination  
of the  
National  
Coordinator  
from office.

Project  
Coordinators  
of  
SITOPEO-  
5.

8.—(1) There shall be for each MDAs, Project Coordinators of SITOPEO-5 (hereinafter referred to as Project Coordinators), who shall be the desk officers for the day to day compilation of all the information required by the National Coordinator for analysis from their respective MDAs or Organisations.

(2) The information to be provided by the Project Coordinator shall include reports and data to indicate amongst others, jobs created within the quarter in their respective organisations, as well as the savings that occurred in terms of Naira for the Government as a result of implementation of the Order 5.

(3) The Project Coordinators, shall be persons with a minimum qualification of a University degree in either Science, Technology, Engineering or other relevant disciplines with minimum of 10 years post-qualification experience and duly registered as a member of his professional body.

The office of  
SITOPEO-5.

9.—(1) The SITOPEO-5 shall be domiciled in the Federal Ministry of Science and Technology.

(2) The National Coordinator shall be supported by the Director of Legal Services and Press of the Federal Ministry of Science and Technology as well as other full-time officers of the Federal Ministry of Science and Technology in their respective specialisations as may be required.

(3) The Strategy Implementation Project Coordinators shall be from existing staff of respective MDAs.

Other staff  
of  
SITOPEO-5.

10. Other staff of SITOPEO-5 may be appointed, seconded or transferred from any of the MDAs in Nigeria in line with extant regulations in Public Service to assist SITOPEO-5 in the discharge of its functions under Executive Order No. 5.

Technical  
Consultative  
Committee  
of  
SITOPEO-5.

11.—(1) SITOPEO-5 may establish Technical Consultative Committee under the Chairmanship of the National Coordinator.

(2) The Technical Consultative Committee shall meet quarterly to consider technical issues arising from the implementation of the Executive Order No. 5 and other related matters.

(3) The Consultative Committee shall assist SITOPEO-5 to achieve the objectives of Executive Order No. 5.

(4) Technical Consultative Committee shall include the following MDAs and organisations—

- (a) a representative of the office of the SGF ;
- (b) a representative each of all the Federal Ministries in Nigeria ;
- (c) a representative of the office of the National Security Adviser ;



(d) a representative of the office of the Head of Civil Service of the Federation ;

Profits and  
distributions.

(e) a representative of the Bureau of Public Procurement ;

(f) a representative of the Central Bank of Nigeria ;

(g) a representative of National Office for Technology Acquisition and Promotion (NOTAP) ;

(h) a representative of National Bureau of Statistics ;

(i) a representative of the Nigerian investment and Promotion Council ;

(j) a representative of Nigerian Customs Service ;

(k) a representative of Nigerian Immigration Service ;

(l) a representative of Nigerian Industrial and Development Bank ;

(m) a representative of Industrial Training Fund ;

(n) a representative of Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture (NACCIMA) ;

(o) a representative of Manufacturers Association of Nigeria (MAN) ;

(p) a representative of National Information and Technology Development agency (NITDA) ;

(q) a representative of Infrastructure Concession Regulatory Commission (ICRC) ;

Security  
Interests.

(r) a representative of Standards Organization of Nigeria (SON) ;

(s) a representative of Nigerian investment and Promotion Council ;

(t) a representative of Nigerian Export Processing Zone Authority ;

(u) a representative of National Agency for Science and Engineering Infrastructure (NASENI) ;

(v) a representative of Raw Materials Research and Development Council (RMRDC) ;

(w) a representative of Nigerian Content Monitoring Board ;

(x) a representative of Association of Small-Scale Industrialists, (NASSI) ;

(y) a representative of Association of Small and Medium Scale Enterprises (NASME) ;

(z) one representative each from ten Professional Bodies or Associations recognized by law in Nigeria including Nigerian Society of Engineers; Nigerian Bar Association, Chartered Institute of Purchasing and Supply Management of Nigeria, Nigerian Medical Association, Nigerian Institute of Architects, Institute of Quantity Surveyors, Nigerian Institute of Estate Surveyors and Valuers and the Association of National Accountants of Nigeria.

(aa) a representative of Civil Society Organisation ; and

(bb) any other organization as may be considered necessary to be a member of the Technical Consultative Committee.

Complaints  
and appeals.

**12.—**(1) SITOPEO-5 may review any matter or complaint related to violation of the Executive Order No. 5 and submit its reports through the Minister of Science and Technology to the Council.

(2) Where such reviews involve the conduct of procurement proceedings by a procuring entity or the conclusion or operation of a procurement contract to prevent or detect Administrative contravention of the Executive Order No. 5, SITOPEO-5 shall, submit a report to the Bureau of Public Procurement to enable them carry out investigation and effect correction.

(3) Where a criminal offence is involved, SITOPEO-5 shall submit a report to the Minister for consideration and onward transmission to the appropriate authorities for investigation through the Council.

(4) Upon receipt of a complaint involving public procurement, SITOPEO-5 shall promptly carry out investigation and notify the Bureau of Public Procurement through the Minister.

(5) Where the issue does not involve Public Procurement, SITOPEO-5 shall promptly notify the appropriate authority through the Minister.

Penalty for  
violations of  
Executive  
Order No 5.

**13.** The punishment for violation of the Executive Order No. 5 shall be as stipulated in the Executive Order No. 5.

Quarterly  
and annual  
report.

**14.—**(1) SITOPEO-5 shall, prepare and submit quarterly report to indicate amongst other jobs created within the period and savings in monetary terms, as well as contributions to the Socio economic and ecological benefits for the Government as a result of implementation of the Order 5.

(2) SITOPEO-5 shall not later than 30th June of every year, prepare and submit to the Council through the Honourable Minister of Science and Technology a report of the activities and administration of the Council during the preceding year.

Power of the  
President to  
give  
Directive.

**15.** The President may direct the Honourable Minister of Science and Technology on a general nature relating to the policies and functions of SITOPEO-5.

Secrecy.

**16.** A member of the Council, the National Coordinator, Project Coordinator or any other officer or employee of the SITOPEO-5 shall—

(a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained in the ordinary course of his duty as a member of the Council or office under Executive Order No.5 ;

(b) treat as confidential any information which has come to his knowledge in the exercise of his power or is obtained in the performance of his duties under Executive Order No. 5 ; and



(c) not disclose any information referred to under paragraphs (a) and (b) of this section, except the person concerned is required to do so by a court or in such other circumstances as may be prescribed by the Council, from time to time.

17. The Funds of SITOPEO-5 shall be as stipulated in the Executive Order No. 5.

Funds of  
SITOPEO-5.

18. SITOPEO-5 shall, from time to time, apply the funds at its disposal to—

Expenditure  
of  
SITOPEO-5.

- (a) publicize and promote the activities of the Council ;
- (b) support the activities of SITOPEO-5 ;
- (c) pay allowances, expenses and other benefits of members of the Council, technical committees and such other committees of the Council ;
- (d) pay the remuneration of the National Coordinator and other staff overhead allowances, benefits and other administrative costs incurred by the Council and SITOPEO-5 ; and
- (e) Undertake such activities as are connected with all or any of the functions of the Council under this guideline.

19. In this Guidelines, unless the context otherwise requires—

Interpretation.

“*Council*” means Presidential Monitoring and Evaluation Council established under Presidential Executive Order No 5 for Planning and Execution of Projects, Promotion of Nigerian Content in Contracts, Science, Engineering and Technology ;

“*Domestic firm*” or “*Local firm*” means a business or professional organisation—

- (a) incorporated or otherwise organised in Nigeria,
- (b) having its principal place of business located in Nigeria,
- (c) having at least 51% of its equity held by nationals of Nigeria,
- (d) not having its assets controlled by foreign national or organisation incorporated or organised outside Nigeria, and
- (e) with more than 50% of persons who will perform services under the contract whether employed directly or by a subcontractor being nationals of Nigeria ;

“*Foreign firm*” means a company incorporated outside Nigeria ;

“*International Competitive Bidding*” means the solicitation of bids from both domestic and foreign contractors and suppliers ;

“*Joint Venture*” means an association where firms or persons are jointly and severally liable for the entire contract and shall designate one party to act as a leader with authority to bind the joint venture and to sign contract with the procurement entity ;

*"Margin of Preference"* means extra markup on price allowed a domestic contractor or supplier under the international competitive bidding, which is not disadvantageous to the bid in terms of price ;

*"Minister"* means Minister responsible for Federal Ministry of Science and Technology ;

*"National Competitive Bidding"* means solicitation of bids from domestic contractors and suppliers duly registered or incorporated under Companies and Allied Matters Act and as amended from time to time ;

*"Nigerian Company"* means a company formed and registered in Nigeria in accordance with the provisions of Companies and Allied Matters Act, with not less than 51% equity shares by Nigerians. (Local Content Office 2010) ;

*"President"* means President and Commander-in-Chief of the Federal Republic of Nigeria ;

*"SITOP-5"* means Strategy Implementation Task Office for Presidential Executive Order No. 5.

*"Sub-contractor"* means natural person, a legal person or combination of the two to whom any part of the goods or works to be executed is contracted out to by the supplier or contractor.

MADE at Abuja this 31st day of March, 2020.

DR OGBONNAYA ONI  
*Minister, Federal Ministry of  
Science and Technology*