

X 1930

KENYA

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16369

16369

C0533/404

Railway Contracts and Tenders

Previous

28/2/31

Subsequent

P.O. *Feb*

X.C.B. 17/2/31

Champion 20/2*W.M. Allen* 21/2~~*W.M. Allen*~~ 21/2*Mr. Chapman* 23/2*S.D. 59* 24/2*Mr. GAUNT* 26/2*Mr. Haggling* 27/2*Mr. Allen* 27/2*Robert Fox* 28/2*C. H. H. H.* 19/3*W.M. Allen* 20/3*W.M. Allen* 20/3*W. Verwey* 21*W. C. H. H.* 20

Parliamentary Question by Mr. Richardson
for Oral reply on Wednesday 22nd December
(Ch. 1.000 P.C. file)

DESTROYED UNDER STATUTE

No. 16. Hans. vol. (P.C. & N. 20 file) - Lms. 1/10

2. Mr. Walker for A.L.T. 13. 21st January
Quota a paragraph of Administration's tender Board
regulations regarding publication of names of
successful tenders and amounts in tenders for
building and loan work, state reasons for not
adopting same practice in case of local purchases
for stores, etc.

2. v. o. letter from Mr. Walker to
Mr. Richardson giving the substance of the
disputed paragraph.
G. H. H. H. H.
18/1

Perhaps S. D. will say whether the
Board in fact has at any time
been exercised.

20/1/31
21/2/31

~~M. G. H. H.~~
~~5/2/31~~

Can you say?
S. H. H. H. H.
23/2/31

There is no note of the point having been
considered previously? (Ch. 1.000 P.C. & N. 20 file) - Lms. 1/10
whether they have any impression as to the practice
in other Cts.

23/2/31

Mr. Allen

Mr. J. A. Smith tells me that he does not remember the point having been raised at any time.

The C. Agents might have some information on the question.

S. H. Casselary
27/2/31

Chamber

Can you help us with any details?

H. W. Allen

27/4/31

Mr. Allen

We do not appear to have any information as to the practice followed by Colonial authorities with regard to the opening, etc., of local tenders, except in the case of F.M.S. Railways, where we believe that tenders are opened and examined by a small committee, though not in public or with publication. Mr. Strachan, the General Manager, who is now at home, could, however, give you more definite information, and there may be suitable Colonial Officials on leave from other Colonies to whom you could refer on the matter, if necessary.

We do not open our tenders publicly. As to publication of prices, we treat the quotations given by tenderers to us as being strictly confidential and, although we publish in the Labour Gazette the names of successful tenderers and the nature of the supplies obtained from them in the case of all contracts of £500 or more in value, we do not disclose the price to be paid to a firm for a particular article. Our opinion is that the publication of prices would be detrimental to the public interest for the reasons given in the Report by the Directors of Army and Navy Contracts of 1888, which was published by the Stationery Office in 1902 (O.5348).

H. W. Allen
19. 3. 31

Then I hardly think we need carry the matter further - I think there has been a little too much ~~talk~~ talk for the time being.

It is in the hands of the Committee for which I have now omitted the reference to the various conditions elsewhere in the terms of the contract.

H. W. Allen

20. 3. 31

All Parties

20. 3. 31

A. W. V. V. V.

T. V. V. V.

21/3

W. S. 2/3/31

J. To. de P. Richardson

24/3/31

H. To. C. A. (w/c 3) B/C

1 APR 1931

J. To. de P. Richardson
(S. H. Casselary)

C. O.

16369/30 Kenya.

Mr. Chamberlain 18/2

Mr. Allen. 2/2 & 20/3

Mr. ~~Salisbury~~ 20/1/31

Mr. ~~Verdon~~ 20/1/31

X Sir C. H. ... 23/3

Mr. J. ...

Sir G. ...

Parliament of S.

Parliament of S.

Secretary of State

10/1/31
75

London Dr. Shiels sig.

DRAFT.

LIEUTENANT COLONEL

SIR HILDEBRAND ...

HOUSE OF COMMONS.

London 21/1/31

21/1/31

Dear Sir G. Philips,

You may remember that in reply to your question in the House of Commons on the 3rd December 1930 I promised to communicate further with you of the receipt from the High Commissioner for Transvaal, Kenya and Uganda of information as to the practice of the Railways and Harbours Administration in respect to tenders. A despatch has not been received from the High Commissioner in which he

Copy to C. O. 18/1/31

Copy to H.C. of ...
to C.O. of ...

draws

draws attention to the following
paragraph in the Administration's

Tender Board Regulations:-

"In the case of tenders for buildings
and loan works the name of the successful
tenderer and the amount of the tender
shall be published in the Official Gazette
except in the case of such contracts as in
the opinion of the General Manager are
not of sufficient importance to warrant
publication. In all cases the
successful tenderer will be advised
as soon as possible by the Head
of the department concerned on receiving
advice from the General Manager".

You will see from this that
the position is not as stated in
your question since in the case of
tenders for buildings and loan
works the name of the successful
tenderer and the amount ^{are generally} published
in the Official Gazette.

In

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In the case of local purchases for stores and ~~small~~ miscellaneous services a similar practice has not been adopted as the trading community as a whole is not in favour of such a course and many traders object to their prices being disclosed. The question, however, of treating important contracts for stores and miscellaneous services in the same way as tenders for buildings and loan works is now under discussion with the Kenya Government with a view to securing as much uniformity as possible between the two Administrations in the matter of tenders.

The High Commissioner also states that ~~the~~ ^{all} tenders are not opened publicly at a stated time and place since such a practice has been found unsuited to local conditions

conditions which probably vary from
those obtaining in other countries
where the practice is followed.

Shields
Your sincerely,

(Sd.) T. DRUMMOND SHIELDS



26

HIGH COMMISSIONER
FOR TRANSPORT

OFFICE OF THE HIGH COMMISSIONER FOR TRANSPORT,
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
16 FEB 1931
G.O.L. OFFICE

26 January 1931

My Lord,

I have the honour to refer to Your Lordship's despatch TRANSPORT KENYA-UGANDA No. 146 dated 9th December, 1930, regarding a question and answer in the House of Commons on the matter of Contracts by this Administration, and to state that paragraph 7 of the Administration's Tender Board Regulations reads as follows:-

"In the case of tenders for buildings and Loan works the name of the successful tenderer and the amount of the tender shall be published in the Official Gazette, except in the case of such contracts as in the opinion of the General Manager are not of sufficient importance to warrant publication. In all cases the successful tenderer will be advised as soon as possible by the Head of the department concerned, on receiving advice from the General Manager."

From this it will be seen that the position is not as stated in the question by Sir Phillip Richardson, since in the case of Tenders for Buildings and Loan Works, the name of the successful Tenderer and the amount is published in the Official Gazette.

2. The same practice has not been adopted in the case of local purchases for stores and small miscellaneous services since the trading community are as a whole not in favour of such a course and many traders object to their prices being disclosed.

3.....

THE RIGHT HONOURABLE
LORD PASFIELD,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, S.W.1.

Hand 31-1-1931

3. As a result of representations which have recently been received from the Lumbermen's Association of East Africa, the question of treating important Contracts for stores and miscellaneous services in the same way as Tenders for Buildings and Loan Works has been considered and the matter is now being discussed with the Kenya Government so that there may be as much uniformity as possible between the two Administrations in the matter of Tenders.

4. All Tenders are not opened publicly at a stated time and place since such a practice has been found to be unsuited to local conditions which probably vary from those in other countries where the practice is followed.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble
servant,

C. G. G. G.
for
HIGH COMMISSIONER.