



GUIDELINES FOR NCDMB APPROVALS OF NIGERIAN OIL & GAS INDUSTRY CONTRACTING PROCESSES

December 2024

Approved for Release: _____

Engr. Felix Omatsola Ogbe (FNSE)
Executive Secretary NCDMB

TABLE OF CONTENTS

Contents

.....	Error! Bookmark not defined.
TABLE OF CONTENTS.....	2
PURPOSE.....	3
REFERENCES	4
DEFINITIONS.....	4
INTRODUCTION	6
STEP 1: NIGERIAN CONTENT PLAN – (STRATEGY, ADVERT).....	11
STEP 2: DOUBLE ENVELOPE – TITT; TEC; CITT; CET	15
STEP 3: TECHNICAL EVALUATION REPORT & REVISED TECHNICAL EVALUATION REPORT	19
STEP 4: COMMERCIAL EVALUATION REPORT.....	22
STEP 5: NIGERIAN CONTENT COMPLIANCE COMMITMENT - NCCC	25
APPENDIX 1: JOINT INDUSTRY MOU/SLA	28
APPENDIX – RELEVANT SECTIONS OF THE NOGICD ACT	29

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

PURPOSE

The purpose and objective of this document are as follow:

- i. To update the existing PCAD Guidelines which was last reviewed and issued on the 16th of April 2018.
- ii. This update seeks to take cognizance of the recent developments in the oil and gas industry such as:
 - a. Industry MOU/SLA endorsed by the Board, NNPC and IOCs in September 2023
 - b. Three (3) Presidential Directives issued by the President of the Federal Republic in February 2024 (Gazette Publication in March 2024)
- iii. Define and explain the processes and stages related to NCDMB Tender Management and Administration as mandated by the NOGICD Act.
- iv. Clearly define the roles and responsibilities of Operators, Service Providers/Bidders and NCDMB for each stage of tender and contract execution in the oil and gas industry.
- v. Define the procedure for review of NC Plan (which will contain the Contract Strategy and Advert), draft ITT's (which contains Technical Invitation to Tender - TITT, Technical Evaluation Criteria –TEC and Commercial Invitation to Tender - CITT) of NC scopes identified by Operators in their bid packages.
- vi. Outline the requirements for prospective bidders to participate in each stage of the tendering and contracting phase as managed by NCDMB and Operators – opportunity, technical and commercial phases.
- vii. Describe the procedure for reviewing and approving of NCCC (containing details of Nigerian Content commitments to be achieved by the successful bidder during contract execution.

REFERENCES

- a. The Nigerian Oil & Gas Industry Content Development Act, 2010 (The Act)
- b. NCDMB/Industry SLA/MOA 2023.
- c. Presidential Directive on Reduction of Petroleum Sector Contracting Costs and Timelines, 2024
- d. Presidential Directive on Local Content Compliance Requirements, 2024

DEFINITIONS

CS	-	Contracting Strategy
CITT	-	Commercial Invitation To Tender
CET	-	Commercial Evaluation Template
DA	-	Draft Advert
FGN	-	Federal Government of Nigeria
HCD	-	Human Capital Development
IOC	-	International Oil Company
NC	-	Nigerian Content
NCP	-	Nigerian Content Plan
NCEC	-	Nigerian Content Equipment Certificate
NCCC	-	Nigerian Content Compliance Commitment
PCAD	-	Projects Certification & Authorization Directorate
NCDF	-	Nigerian Content Development Fund
ORAS	-	Oil Rig Acquisition Strategy
TITT	-	Technical Invitation To Tender
TEC	-	Technical Evaluation Criteria.
Reviewer	-	NCDMB staff assigned to review contract documents.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- | | | |
|-----------|---|--|
| Evaluator | - | NCDMB staff that participate in the opening and evaluation of bids |
| NCDMB | - | Nigerian Content Development & Monitoring Board (The Board) |
| NUIMS | - | NNPC Upstream Investment Management Company |
| ES | - | Executive Secretary |
| PDs | - | Presidential Directives 2024 |

Appendices:

- | | | |
|------------|---|---|
| Appendix 1 | - | Nigerian Content Plan Stage Review Process |
| Appendix 2 | - | Technical ITT stage review Process |
| Appendix 3 | - | Commercial ITT stage review Process |
| Appendix 4 | - | Technical Evaluation Stage Process |
| Appendix 5 | - | Commercial Evaluation Stage Process. |
| Appendix 6 | - | Nigerian Content Compliance Certificate Process. |
| Appendix 7 | - | Updated Contracting Process Flowchart. |
| Appendix 8 | - | Existing MOU/SLA VS Updated contracting timeline. |

INTRODUCTION

In 2018, when this guideline was first issued, the NCDMB PCAD Tendering Administration Procedures had nine (9) touchpoints which required Operators to obtain the Board’s approval/certification for each phase of the tendering/contracting process. The requirement to secure various approvals from NCDMB is separate from other approvals required from other entities such as NNPC/NUIMS which resulted in delays in the tendering and contracting process.

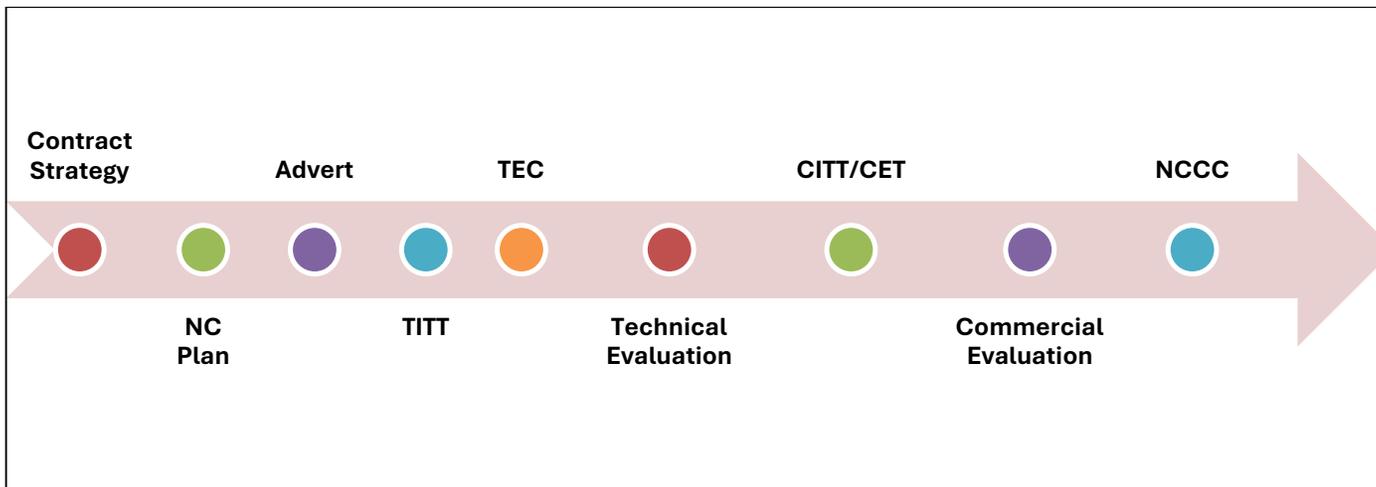


Figure 1- Previous NCDMB Tender Administration Touch-Points - Nine (9) Steps

This led to the roll out of reforms to improve the business environment for the Nigerian oil and gas industry which include the need for all the stakeholders involved in the contracting cycle to shorten the timeline to less than 180 days. This resulted in the

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

development and execution of the Joint NCDMB/Industry SLA/MOA between NCDMB, NNPC, and major IOCs in September 2023 which contained the sequence of approvals and the number of days for the parties to keep within the 180 days target.

In March 2024, the Presidential Directive on Reduction of Contracting Costs and Timelines was issued by Mr. President to enhance competitiveness, attract additional investments in the sector, and further streamline the completion of the contracting cycle to six (6) months.

In a bid to operationalize the objectives of the Presidential Directive on Contracting Timelines, the Joint NCDMB/Industry SLA/MOA has been revised to stay within the six (6) months target. The Board has thus reduced its touch points from nine (9) to five (5) as depicted below:

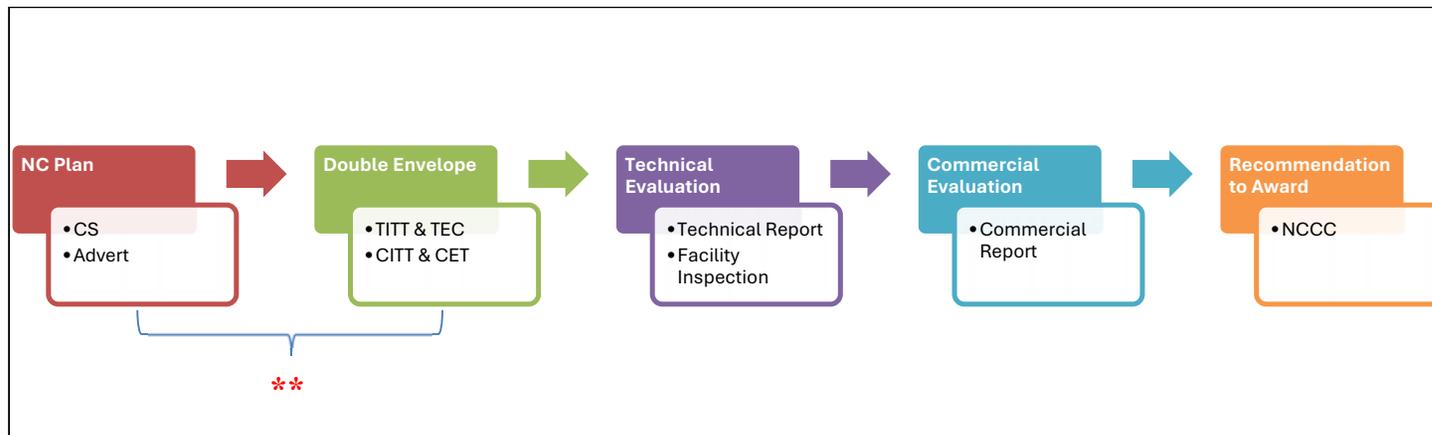


Figure 2 - New NCDMB Contracting Cycle Touch-Points - Five (5) Steps - [Open Tender]

The sequences shown above are NCDMB touch points for Open Tendering – which is the default industry tender process.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

****Operator may choose to submit the requests at the Opportunity Phase (NC Plan) and the ITT Phase (Double Envelope) together. But the Operator must take cognizance of the fact that the sanctity of the above processes flow must be observed by the Board. Thus, the Board shall only treat the Double Envelope submissions if NC Plan submissions are deemed to be adequate as per the Board's requirements.**

Where an Operator intends to deviate from the default strategy of Open Tendering, and opt for either Selective Tendering, an additional step is introduced requiring the Operator to submit a formal approval request to the Board for justification of the Contracting Strategy, as depicted below:

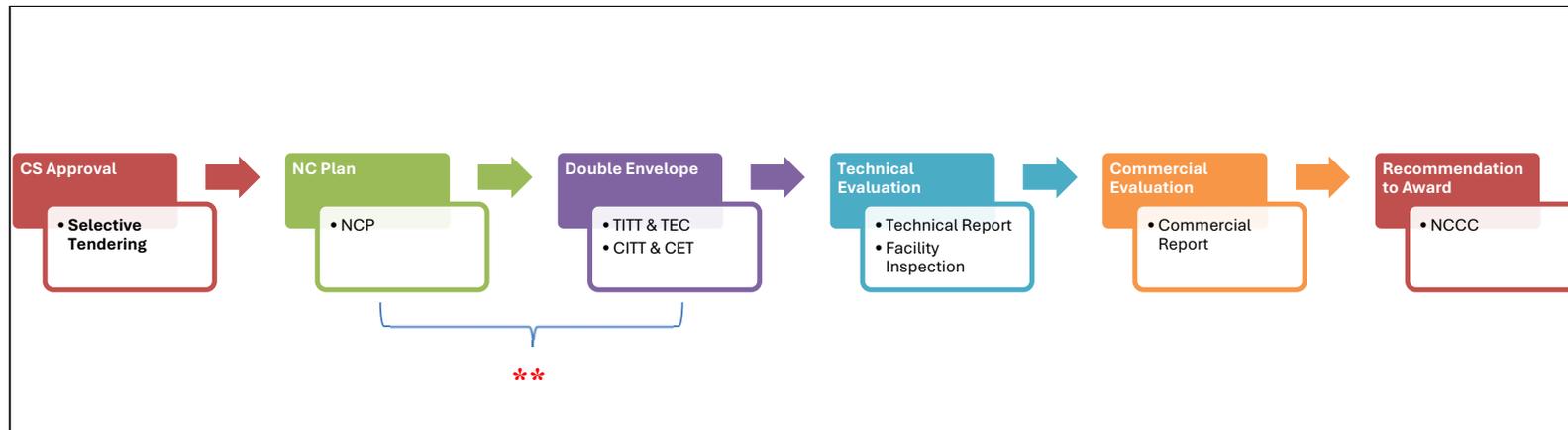


Figure 3 - Selective Tendering Strategy Steps

The steps for Sole Source Tendering Strategy are as follows:

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

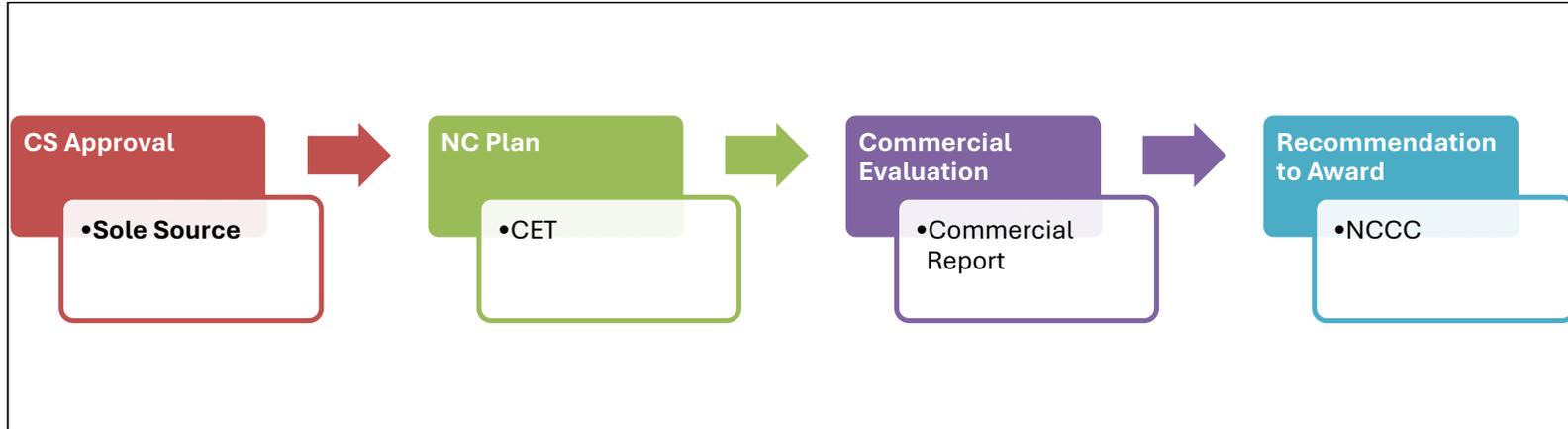


Figure 4 - Sole Source Tendering Strategy Steps

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

DESCRIPTION OF THE FIVE (5) TOUCHPOINTS

This chapter provides further details of the purpose, supporting provision, timeline, notations, and other peculiarities of each of the five touchpoints required to conclude the contracting cycle. In addition, the concluding milestone for each step has been defined consistent with the provision of the NOGICD Act and prevailing practices.

The table below provides a summary of the key tools to be deployed for conclusion of each touchpoint:

STEP	ACTIVITY DESCRIPTION	APPROVAL INSTRUMENT	REMARKS
1	NC Plan review/approval	Certificate of Authorization (CoA)	Consistent with the provision of the NOGICD Act (2010)
2	Double Envelope (TITT/CITT)	Tender Certifications	NC compliant tenders
3	Technical Evaluation Exercise	Technical Evaluation Report	Contains NC qualified bidders
4	Commercial Evaluation Exercise	Commercial Evaluation Report	Contains bids that meet required NC levels
5	Recommendation to Award	NC Compliance Commitments (NCCC)	NCCC Focus on commitments agreed at the end of tendering phase. NC Compliance Certificate (NCCC) to be issued by Monitoring & Evaluation Directorate (MED) upon performance of the contract and fulfilment of the promises/commitments.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

STEP 1: NIGERIAN CONTENT PLAN – (STRATEGY, ADVERT)

	ITEM	DESCRIPTION/REQUIREMENTS
a.	TEMPLATE/DOCUMENT TITLE	NC PLAN (inclusive of the STRATEGY and ADVERT)
b.	SUPPORTING SECTIONS OF THE ACT	<ul style="list-style-type: none"> ▪ Sections 7 – 13
c.	RESPONSIBILITY	<ul style="list-style-type: none"> ▪ Processes initiated by Operator using NCDMB NC Plan Template and submitted via email to the Board ▪ NCDMB Reviews, Rejects or Certifies.
d.	TEMPLATE (Yes/No) or DOCUMENT TO BE SUBMITTED	<ul style="list-style-type: none"> ▪ NCDMB NC Plan Template (This Template is inclusive of NC Plan, Advert and Contracting Strategy – as may be applicable) ▪ For Single Source/Selective Tender – ES NCDMB approval of Contracting Strategy is required. ▪ See Appendix for template
e.	NCDMB CERTIFICATION TO BE ISSUED	<ul style="list-style-type: none"> ▪ NCDMB Certificate of Authorization (COA) with unique Certification Number for the specific Project/Contract. ▪ This has 6 months validity. Upon expiry, the Operator is required to request for reissuance of COA for the NC Plan.
f.	REVIEW TIMELINES	<ul style="list-style-type: none"> ▪ 10 days
g.	NOTATION	<ul style="list-style-type: none"> ▪ The default CS covered by this guideline is Open Tender. Any deviation from this strategy shall require a special request to the ES, NCDMB, for consideration and approval.

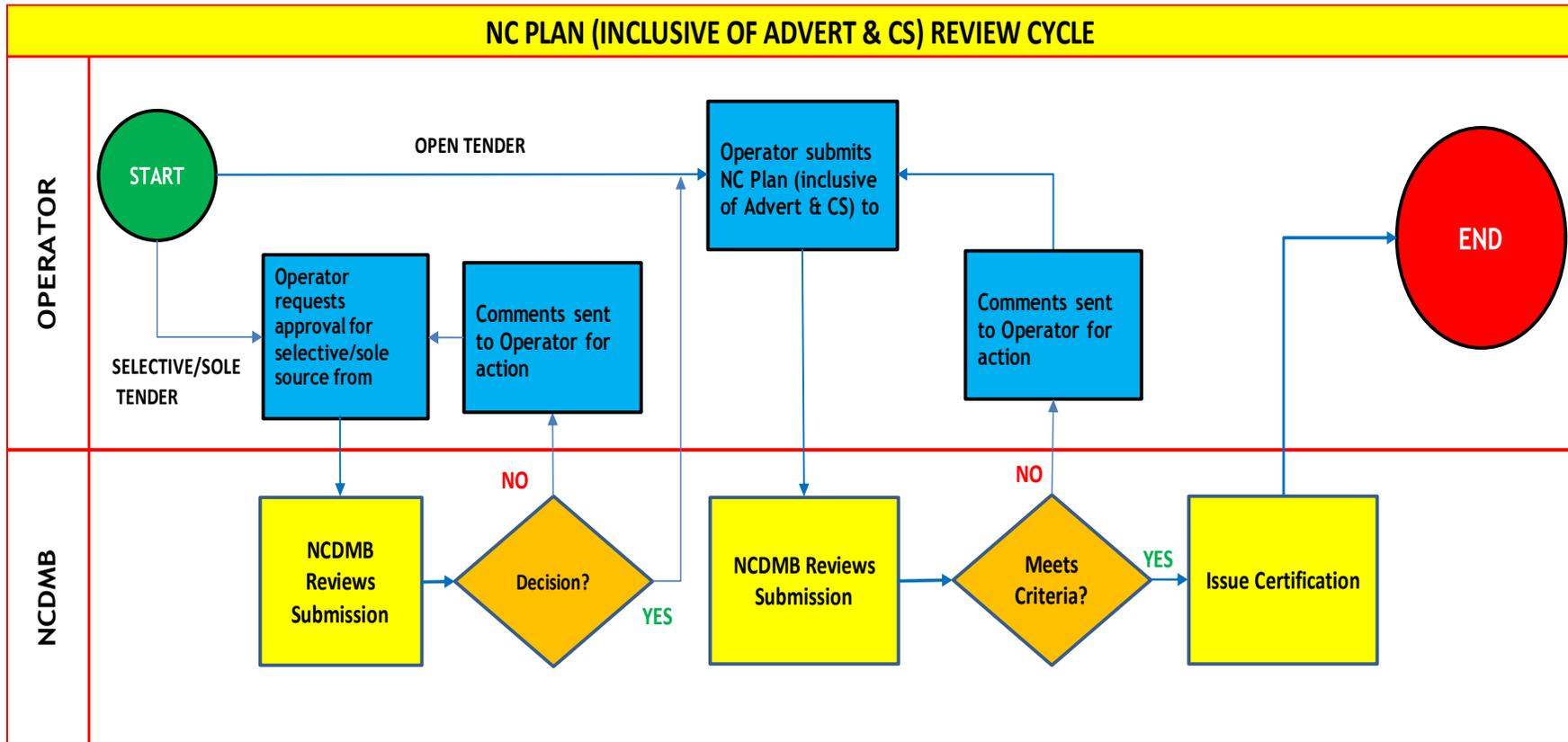
NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- No prior document submission is required for New Open Tender. But, for replacement contracts - evidence of compliance with prior contract NC Commitments such as NCDF 1% Remittance and NCDMB HCD Execution is required.
- The Operator and NCDMB shall ensure that the NC Plan addresses the following:
 - *Draft Advert Publication shall be embedded in NC Plan Template*
 - *Date of NC plan submission; Project title; Estimated contract value/Budget; Expected Project start date and end date;*
 - *Project scope – (brief background of the project and detailed work scope) & Nigerian content work scope*
 - *Contract strategy*
 - *Detail plans for services to be sourced in-country: the plan shall demonstrate how the work scope shall be executed using Nigeria registered companies.*
 - *Use of Nigeria Personnel, Labour and Employment.*
 - *Training and employment of Nigerian nationals on the contract*
 - *Use of goods and services of Nigerian Origin in executing the work scope.*
 - *Use of equipment, tools, and hardware of Nigerian ownership - The plan shall address the utilization of Nigerian owned equipment, tools and hardware in executing the work scope.*
 - *Requirement for applicable NCDMB Capacity Certifications such as NCEC; NCMVC; NRCR for equipment, services, marine and rig assets.*
 - *Use of third-party services and sub-contractors of Nigeria origin*
 - *Human Capacity Development Training in line with extant NCDMB Guidelines for HCD.*
 - *Ensure NC target meets minimum NC targets as specified in the schedule of the NOGICD Act.*
- Plans for technology transfer; Planned facilitation of Joint Ventures and alliances between Nigerians and foreign contractors; utilization of Nigerian Banks, Legal and Insurance services, Capacity Development Initiative (CDI), Community Content, etc.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- | | | |
|--|--|--|
| | | <ul style="list-style-type: none">▪ Any other information as may be required by tender scope or prescribed by NCDMB. <p><i>**Operator may choose to submit the requests at the Opportunity Phase (NC Plan) and the ITT Phase (Double Envelope) together. But the Operator must take cognizance of the fact that the sanctity of the above processes flow must be observed by the Board. Thus, the Board shall only treat the Double Envelope submissions if NC Plan submissions are deemed to be adequate as per the Board's requirements.</i></p> |
|--|--|--|

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD



NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

STEP 2: DOUBLE ENVELOPE – TITT; TEC; CITT; CET

	ITEM	DESCRIPTION/REQUIREMENTS
a.	TEMPLATE/DOCUMENT TITLE	ITT; TEC; CITT; CET
b.	SUPPORTING SECTIONS OF THE NOGICD ACT	<ul style="list-style-type: none"> ▪ Sections 14 – 22
c.	RESPONSIBILITY	<ul style="list-style-type: none"> ▪ Processes initiated by Operator and submitted via e-mail ▪ NCDMB review with comments (if applicable), and/or approves.
d.	TIMELINES	INDUSTRY SLA/MOU (Based on PDs) <ul style="list-style-type: none"> ▪ 10 days
e.	<ul style="list-style-type: none"> ▪ TEMPLATE (Yes/No) ▪ DOCUMENT TO BE SUBMITTED 	<ul style="list-style-type: none"> ▪ There is no NCDMB Template for these items. Each Tender has peculiar requirements. ▪ NCDMB issued COA – Certificate of Authorization ▪ Associated NC Plan & Published Advert in national dailies with NCDMB Certification Number
f.	NCDMB CERTIFICATION TO BE ISSUED	<ul style="list-style-type: none"> ▪ NCDMB Certification with unique Certification Number for the following: <ul style="list-style-type: none"> ○ TITT ○ TEC ○ CITT & CET
g.	NOTATION	ITT:

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- The ITT shall contain a Section Titled: “**Nigerian Content Requirements**” which includes key fatal flaw requirements outlined in the advert and NC Plan documentation.
 - These requirements often include but not limited to NCDMB Certifications such as: NCEC/NCMVC/NCRC and NOGIC JQS Registration etc.
 - In-country facilities, investments and equipment
 - Details of Manpower – Nigerian and Expatriate
 - Plan to utilize Nigerian goods and services.
 - Professional and Statutory Certifications and Licenses as maybe applicable to scope of tender – COREN, NIMASA, NCAA etc
 - Joint Venture Partnerships – MOAs

TEC:

- The NCDMB TEC is different from the Operator TEC.
- NCDMB develops the TEC to be utilized during the evaluation of the Bids.
- The NCDMB TEC scoring criteria ensures compliance with the NC requirement in the Nigerian Content section of the TITT
- The TEC shall mirror NCDMB Technical requirements embedded in the ITT.

CITT/CET

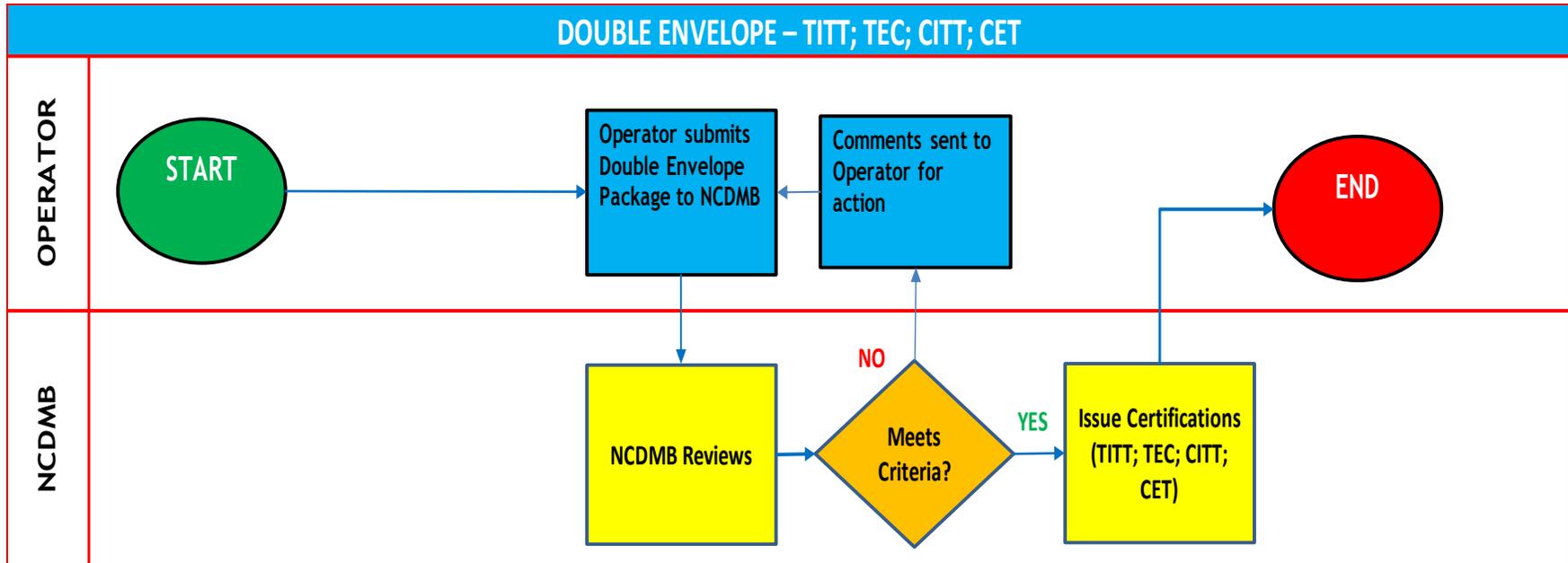
- Submission of completed **NCDMB CET** is **MANDATORY** for all bidders, and it is the responsibility of the Operator to ensure the NCDMB CET is contained as part of the CITT package issued to bidders. Non submission of CET by bidder is a fatal flaw.
- The approved NCDMB CET is embedded in the Operator CITT and must be filled by all bidders.
- NCDMB develops the Commercial Evaluation Template document. This Template shall contain Nigerian Content target percentages for items on the operator pricing sheet.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- Operator shall ensure that all tender documents or ITT/RFQ/Templates launched by hard copy documents and electronic document on the electronic portal shall ensure NCDMB certification number is included at the bottom of the cover or first page for all the documents.
- These targets are derived from the Schedule of the NOGICD Act thus they also maintain the Unit of Measurements from the Schedule (e.g. Manhours, tonnage, length, spend) as maybe applicable.
- Where Operator has approval for Single Source Strategy, only CITT/CET shall be submitted (TITT/TEC not required).

***Operator may choose to submit the requests at the Opportunity Phase (NC Plan) and the ITT Phase (Double Envelope) together. But the Operator must take cognizance of the fact that the sanctity of the above processes flow must be observed by the Board. Thus, the Board shall only treat the Double Envelope submissions if NC Plan submissions are deemed to be adequate as per the Board's requirements.*

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD



NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

STEP 3: TECHNICAL EVALUATION REPORT & REVISED TECHNICAL EVALUATION REPORT

	ITEM	DESCRIPTION/REQUIREMENTS
a.	PHASE/DOCUMENT TITLE	TECHNICAL EVALUATION REPORT
b.	SUPPORTING SECTIONS OF THE NOGICD ACT	<ul style="list-style-type: none"> ▪ Sections 14 – 22
c.	RESPONSIBILITY	<ul style="list-style-type: none"> ▪ Operator initiates process by inviting NCDMB to bid opening after bid submission deadline issued to bidders has elapsed ▪ Thereafter, Operator provides NCDMB with bid submissions. ▪ NCDMB Evaluates submissions using NCDMB TEC and issues official report to Operator
d.	TIMELINES	<p>INDUSTRY SLA/MOU – (In line with PDs)</p> <ul style="list-style-type: none"> ▪ 18 DAYS ▪ Note that the above days start from the date complete bid downloads for tender are shared/delivered to NCDMB.
e.	<ul style="list-style-type: none"> ▪ TEMPLATE (Yes/No) ▪ DOCUMENT TO BE SUBMITTED 	<ul style="list-style-type: none"> ▪ Technical Bid Download/Documents from Operator. ▪ NCDMB Certified TITT & TEC ▪ NCDMB has a standard Technical Reporting Format ▪ See notation below for basic principles and requirements
f.	NCDMB REPORT TO BE ISSUED	<ul style="list-style-type: none"> ▪ NCDMB Technical Evaluation Report with unique Report Reference Number
g.	NOTATION	<ul style="list-style-type: none"> ▪ The technical submissions are evaluated to ensure that the level of compliance and conformity of the bidder's Nigerian Content execution plan are assessed against the provisions of the NOGICD Act and targets in the schedule.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- These assessments are done based on the relevant provisions of :
 - NOGICD Act. 2010;
 - ITT NC requirements and
 - NCDMB TEC for tender.
- Any Bidder that does not meet the minimum targets as in the approved NC Plan and Nigerian Content Requirements obligations as outlined in the ITT for the tender in line with the NOGICD Act is not qualified to proceed to the next phase (commercial) of the contracting process.
- Where bidders have not complied, reasons are stated for their non-compliance based on the mandatory NC requirements.
- Where Facility Visit is required for the subject tender, Operator must ensure NCDMB participation.

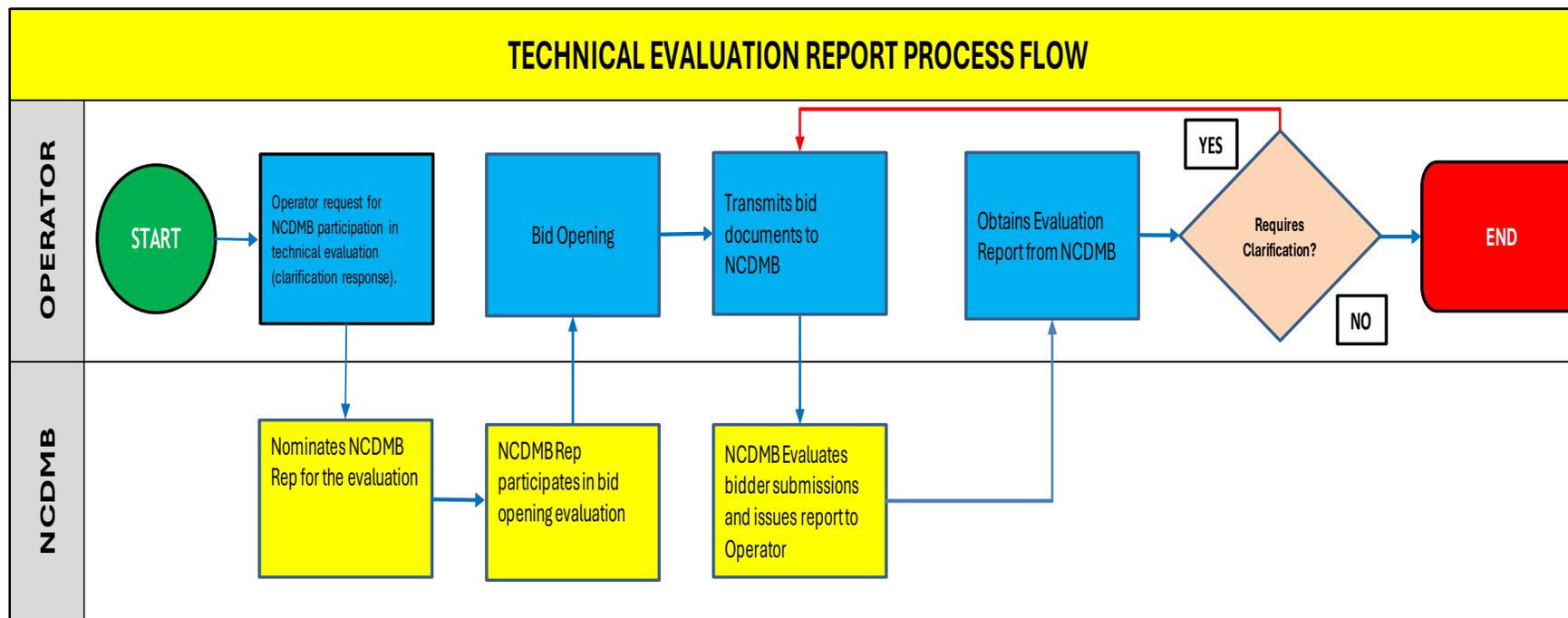
Revised Technical Evaluation Report:

- Upon receipt of Technical Evaluation Report from the Board, Operator may wish to request non-compliant bidders to provide additional clarification submissions to address reasons for their non-compliance.
- Operator is required to collate these additional submissions and forward to NCDMB within ten (10) working days after issuing clarification to the bidders.
- NCDMB shall then review the submissions in line with the Tender ITT requirements and TEC.
- Thereafter, a Revised Technical Evaluation Report is issued to the Operator in line with Technical Evaluation Process Flow depicted in the Appendix.
- The Revised Technical Evaluation Report must always refer to the first report in the first paragraph clearly stating the number of all bidders and number of compliant bidders from the initial report.

Validity of Evaluation Report

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

- The Technical Evaluation Report has a validity of 6 months from the date of the report.
- Within the 6-month validity period, Operator's request for a revised report shall entail the review of the validity of NCDMB Certificates (NCEC/NMVC, NCRC, etc) for **ONLY** bidders initially not qualified by the Board.
- However, after the expiry of this period, should Operator request for a revised report, NCDMB shall review the validity of NCDMB Certificates (NCEC, NMVC, NCRC, etc.) for **ALL** bidders to ensure compliance accordingly.



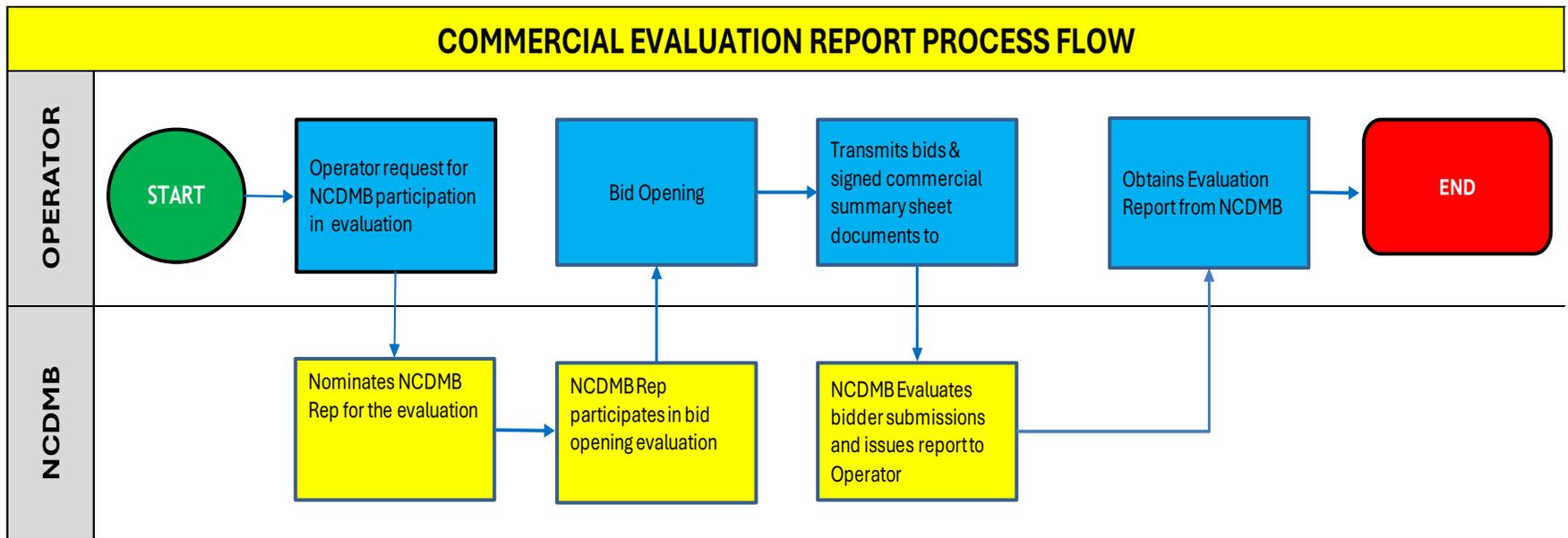
STEP 4: COMMERCIAL EVALUATION REPORT

	ITEM	DESCRIPTION/REQUIREMENTS
a.	TEMPLATE/DOCUMENT TITLE	COMMERCIAL EVALUATION REPORT
b.	SUPPORTING SECTIONS OF THE NOGICD ACT	<ul style="list-style-type: none"> ▪ Sections 14 – 22
c.	RESPONSIBILITY	<ul style="list-style-type: none"> ▪ Operator initiates process by inviting NCDMB to bid opening after conclusion of technical evaluation by NCDMB and the Operator ▪ Commercial Bids are opened for bidders who were successful at the technical stage. ▪ NCDMB commercial evaluation is concluded upon receipt of Operator final/signed commercial evaluation summary sheet. ▪ NCDMB evaluates submissions and issues official report to Operator
d.	TIMELINES	<p>INDUSTRY SLA/MOU (In line with PDs)</p> <ul style="list-style-type: none"> ▪ 7 Days ▪ Note that this count starts upon receipt of Operator’s final/signed commercial evaluation summary sheet.
e.	<ul style="list-style-type: none"> ▪ TEMPLATE (Yes/No) ▪ DOCUMENT TO BE SUBMITTED 	<ul style="list-style-type: none"> ▪ Open Tender and Selective - NCDMB Approved Technical Report (or Revised Report) ▪ For Sole Source – NCDMB CS Strategy Approval and CITT Certification. ▪ NCDMB has a standard Commercial Reporting Format ▪ See notation below for basic principles and requirements

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

f.	NCDMB REPORT TO BE ISSUED	<ul style="list-style-type: none"> ▪ NCDMB Certified Commercial Evaluation Report with unique Report Reference Number
g.	NOTATION	<ul style="list-style-type: none"> ▪ The Board shall evaluate the priced commercial submissions to ensure that the level of compliance is in conformity with technical non-priced submission against the provisions of the NOGICD Act and targets in the schedule. The targets in the schedule are either in man-hours, spend, tonnage, rates or numbers. ▪ Any Bidder that does not meet the minimum Nigerian Content requirements has not complied, and therefore cannot be recommended for contract award. ▪ The Board shall request evidence of the approved NCDMB Certification for double envelope certification for the tender. ▪ The NCDMB Commercial Template (CET) is important because various Nigerian Content parameters are extracted from the template for the double envelope submission by bidders. ▪ NCDMB shall receive the bid download from Operator for the evaluation of bidders. ▪ NCDMB shall request for the Operator and/or JV Partner (as may be applicable) signed off commercial evaluation summary sheet. ▪ NCDMB will conclude and issue commercial report after receipt of Operator's signed Commercial Summary Sheet.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD



NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

STEP 5: NIGERIAN CONTENT COMPLIANCE COMMITMENT - NCCC

	ITEM	DESCRIPTION/REQUIREMENTS
a.	TEMPLATE/DOCUMENT TITLE	NCCC - NIGERIAN CONTENT COMPLIANCE COMMITMENT
b.	SUPPORTING SECTIONS OF THE NOGICD ACT	<ul style="list-style-type: none"> ▪ Sections 14 – 22
c.	RESPONSIBILITY	<ul style="list-style-type: none"> ▪ Upon conclusion of the Commercial Evaluation and issuance of the NCDMB Commercial Evaluation Report, the Operator’s Successful Bidder/Main Contractor shall fill the NCCC Template and present to NCDMB via Operator for review ▪ NCDMB Reviews, Rejects or Approves
d.	TIMELINES	<p>INDUSTRY SLA/MOU (In line with PDs)</p> <ul style="list-style-type: none"> ▪ 8 Days
e.	<ul style="list-style-type: none"> ▪ TEMPLATE (Yes/No) ▪ DOCUMENT TO BE SUBMITTED 	<ul style="list-style-type: none"> ▪ Template Available (see Appendix) ▪ NCDMB Approved Commercial Report.
f.	NCDMB CERTIFICATION TO BE ISSUED	<ul style="list-style-type: none"> ▪ NCCC endorsed by ES, NCDMB & MD/CEO, Operator
g.	NOTATION	<ul style="list-style-type: none"> ▪ Upon completion of the Commercial Evaluation, and prior to recommendation to award, Operator shall request the issuance of a Nigerian Content Compliance Commitments (NCCC) which outlines committed Nigerian content targets agreed by the Operator and its contractor for the subject tender execution phase. ▪ NCDMB shall review and approved the NCCC in line with the NOGICD Act. ▪ NCDMB & The Operator shall ensure that the under-listed are captured in the NCCC:

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

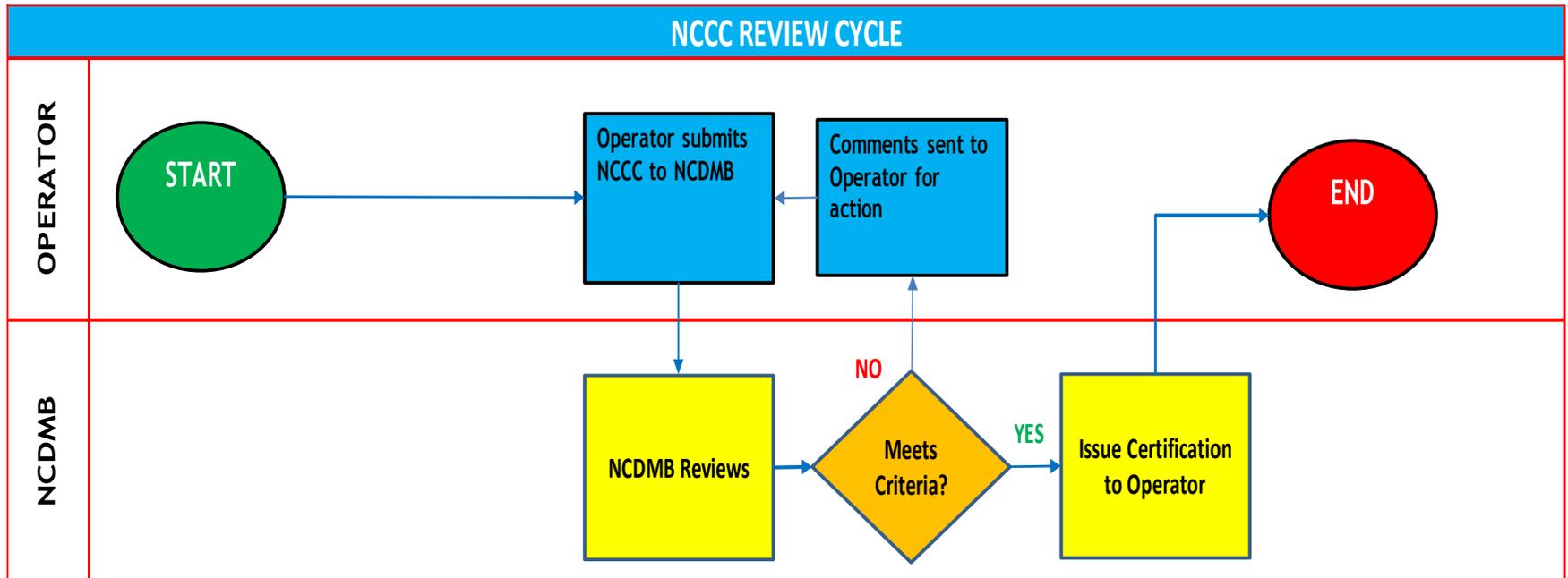
For the Introductory section of the NCCC:

- NAME OF OPERATOR/PROJECT PROMOTER
- CONTRACT / PROJECT TITLE
- CONTRACT/PROJECT NUMBER
- DATE OF COMMENCEMENT OF BID
- DATE OF AND REF (NCDMB TECH EVALUATION RPT)
- DATE OF AND REF (NCDMB COMM EVALUATION RPT)
- DATE OF COMMENCEMENT OF CONTRACT
- DATE OF CONTRACT COMPLETION
- DURATION OF CONTRACT
- TOTAL CONTRACT VALUE
- MAIN CONTRACTOR
- SUB-CONTRACTOR(S)

Other Key Components of the NCCC are:

- *The Total contract Value- TCV (which shall be equal to the sum of all sub-total of the Total Value captured for each section, and must correlate with the stated TCV at the introductory section of the NCCC).*
 - *Total NC Value (which shall be equal to the sum of all the sub-total of the NC Value captured for each section)*
 - *Total NC%*
 - *1% NCDF*
 - *Details of NCDMB HCD Commitments, Capacity Development Initiatives (CDI) as applicable.*
- Upon issuance of the NCCC, the document is transmitted to NCDMB Monitoring & Evaluation Directorate for post-award compliance monitoring of commitments during project/contract execution in line with the relevant sections of the NOGICD Act.

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD



NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

APPENDIX 1: JOINT INDUSTRY MOU/SLA: AGREED TIMELINES FOR NCDMB TOUCHPOINTS

S/N	JOINT INDUSTRY MOU/SLA (IN LINE WITH PRESIDENTIAL DIRECTIVES)			
	DOCUMENT NAME	OC	SL	SS
1	NC PLAN (CONTRACTING STRATEGY & ADVERT)	10	10	10
2	ITT'S (TITT, TEC & CITT/CET)	10	5	5
3	TECHNICAL EVALUATION REPORT	18	10	0
4	COMMERCIAL EVALUATION REPORT	7	5	5
5	NIGERIAN CONTENT COMPLIANCE COMMITMENT	8	15	15

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

APPENDIX – RELEVANT SECTIONS OF THE NOGICD ACT

The procedure takes into consideration the key provisions of the NOGIC Act 2010 in addition to extant NCDMB-issued guidelines and policy directives which are outlined below:

The relevant provisions of the NOGICD Act which support NCDMB Tendering and Contracting administration procedures are highlighted below:

S/N	SECTION OF THE ACT	PROVISIONS
1.0	Section 3	<p>(1) Nigerian independent operators shall be given first consideration in the award of oil blocks, oil field licences, oil lifting licenses and in all projects for which contract is to be awarded in the Nigerian oil and gas industry subject to the fulfillment of such conditions as may be specified by the Minister.</p> <p>(2) There shall be exclusive consideration to Nigerian indigenous service companies which demonstrate ownership of equipment, Nigerian personnel and capacity to execute such work to bid on land and swamp operating areas of the Nigerian oil and gas industry for contracts and services contained in the Schedule to this Act.</p> <p>(3) Compliance with the provisions of this Act and promotion of Nigerian content development shall be a major criterion for award of licenses, permits and any other interest in bidding for oil exploration, production, transportation and development or any other operations in Nigerian oil and gas industry.</p>
2.0	Section 7	In the bidding for any license, permit or interest and before carrying out any project in the Nigerian oil and gas industry, an operator shall submit a Nigerian Content Plan ("the Plan") to the Board demonstrating compliance with the Nigerian content requirements of this Act.
3.0	Section 8	The Board shall review and assess the plan and, if satisfied that the plan complies with the provisions of this Act, issue a Certificate of Authorization ("the Certificate") to the operator for that project.
4.0	Section 10	(1) A plan shall contain provisions intended to ensure that-

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

		<p>(a) first consideration shall be given to services provided from within Nigeria and to goods manufactured in Nigeria; and (b) Nigerians shall be given first consideration for training and employment in the work programme for which the plan was submitted.</p> <p>(2) Any collective agreement entered by the operator, project promoter or other body submitting the plan with any association of employees respecting terms and conditions of employment in the project shall contain provisions consistent with this section.</p>
5.0	Section 11	As from the commencement of this Act, the minimum Nigerian content in any project to be executed in the Nigerian oil and gas industry shall be consistent with the level set in Schedule to this Act.
6.0	Section 12	Subject to section 7 of this Act, the Nigerian Content Plan submitted to the Board by an operator shall contain a detailed plan, satisfactory to the Board, setting out how the operator and their contractors will give first consideration to Nigerian goods and services, including specific examples showing how first consideration is considered and assessed by the operator in its evaluation of bids for goods and services required by the project.
7.0	Section 13	13. The Nigerian content plan submitted to the Board by any operator or alliance partner shall contain detailed plan on how the operator or its alliance partner intend to ensure the use of locally manufactured goods where such goods meet the specifications of the industry.
8.0	Section 17	<p>(1) For all proposed projects, contracts, subcontracts and purchase orders estimated by operator to be in excess of \$1,000,000 (USD), the operator shall provide to the Board for approval, advertisements~ pre-qualification criteria, technical bid documents, technical evaluation criteria and the proposed bidders lists.</p> <p>(2) The operator or project promoter shall submit sufficient Information with the notifications to enable the Board assess the subject matter and to be satisfied that the requirements for Nigerian content have been complied with by the operator or project promoter.</p>
9.0	Section 18	<p>(1) The operators shall submit to the Board, 30 days prior to the first day of each quarter, a list of all contracts, subcontracts and purchase orders exceeding \$1,000,000 (USD) which will be bided or executed in the upcoming quarter.</p> <p>(2) For each contract, subcontract and purchase order, the list shall provide-</p> <p>(a) a description of the service or item to be contracted or purchased (material and equipment specifications shall be provided upon request);</p> <p>(b) estimated value of contract, subcontract or purchase order;</p> <p>(c) the Invitation To Tender (ITT) issuance date, ITT closure date and award date; and</p>

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

		(d) any other information requested by the Board for the purposes of implementing the provisions of this Act.
10.0	Section 20	<p>Prior to issuing of adverts or pre-qualification notification to prospective bidders, the operator or the project promoter shall submit to the Board the following for review and approval:-</p> <ul style="list-style-type: none"> (a) a description of the scope of work; (b) a copy of the pre-qualification notification, if these documents differ from the standard pre-qualification notification previously reviewed by the Board; (c) a list of companies, indicating locations of head offices, to whom questionnaires shall be issued; and (d) anticipated dates for closure of prequalification and commencement of technical evaluation, issuance of an Invitation To Tender (ITT).
11.0	Section 21	<p>21. For the purposes of compiling a bidding list for any project, the operator, project promoter or alliance partner shall submit to the Board, prior to issuing an Invitation To Tender (ITT) -</p> <ul style="list-style-type: none"> (a) a list of bidders; (b) a copy of the Invitation To Tender (ITT (the Board shall advise the operator of its requirements in this regard on a case by case basis); (c) a description of corporate ownership (main shareholders by percentage) of bidders; (d) location of any Nigerian based office, plant or facility; (e) anticipated dates for closure of bids and award of contract or purchase order; and (f) any other information requested by the Board.
12.0	Section 22	<p>22. Prior to the award of contract, subcontract or purchase order to the selected bidder, the operator shall submit to the Board -</p> <ul style="list-style-type: none"> (a) the name of the selected contractor or vendor; (b) a list of designated sub-contractors or sub-vendors; (c) where applicable, a list of proposed sub-suppliers; (d) for construction or service contracts; the estimated Nigerian employment (in person-hours); (e) contract or purchase order commencement and completion dates; (f) award Notification Form signed by an appropriate official of the operator; and (g) statement of award rationale (evaluation of bids) showing - <ul style="list-style-type: none"> (i) percentage difference in price between selected bidder and each bid, (ii) a primary location of work associated with each bidder,

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

		(iii) estimates of Nigerian content associated with the bid of each bidder calculated in accordance with the definition of Nigerian content to be provided by the Board, and (iv) other information relevant to the evaluation of bidders including where applicable, a summary of the technical, commercial and Nigerian content aspects of the bid evaluations.
13.0	Section 33	Upon the commencement of this Act, the operators shall make application to, and receive the approval of, the Board before making any application for expatriate quota to the Ministry of Internal Affairs or any other agency or Ministry of the Federal Government.
14.0	Section 41(2)	International or multinational companies working through their Nigerian subsidiaries shall demonstrate that a minimum of 50% of the equipment deployed for execution of work are owned by the Nigerian subsidiaries.
15.0	Section 43	Each operator shall carry out a programme in accordance with the country's own plans and priorities, to the satisfaction of the Board, for the promotion of technology transfer to Nigeria in relation to its oil and gas activities.
16.0	Section 106	Nigerian company" means a company formed and registered in Nigeria in accordance with the provision of Companies and Allied Matters Act with not less than 51% equity shares by Nigerians;

Likewise, the relevant NCDMB guidelines and policy instruments which support PCAD operations include but not limited to the following:

S/N	TYPE OF INSTRUMENT	LIST
1	SERVICE LEVEL AGREEMENTS AND PRESIDENTIAL DIRECTIVES	<ul style="list-style-type: none"> a. NCDMB AND OPERATORS' INDUSTRY SLA/MOU – 2023 b. PRESIDENTIAL DIRECTIVE ON LOCAL CONTENT COMPLIANCE REQUIREMENTS, 2024 c. PRESIDENTIAL DIRECTIVE ON REDUCTION OF PETROLEUM SECTOR CONTRACTING COSTS AND TIMELINES, 2024
2	NCDMB GUIDELINES	<ul style="list-style-type: none"> a. GUIDELINE FOR NIGERIAN CONTENT EQUIPMENT CERTIFICATE INITIATIVE 2020 b. GUIDELINE FOR NIGERIAN CONTENT MARINE VESSEL CATEGORISATION 2020 c. GUIDELINE FOR NIGERIAN CONTENT RIG OWNERSHIP AND UTILIZATION 2021 d. GUIDELINE FOR THE UTILIZATION OF LOCALLY PRODUCED BARITES AND DRILLING FLUIDS IN THE NIGERIAN OIL AND GAS INDUSTRY 2019

NIGERIAN CONTENT DEVELOPMENT AND MONITORING BOARD

		<ul style="list-style-type: none"> e. GUIDELINE FOR NIGERIAN CONTENT HUMAN CAPITAL DEVELOPMENT IMPLEMENTATION 2020 f. COMMUNITY CONTENT GUIDELINE g. GUIDELINE ON DEDUCTION OF 1% NCDF LEVY 2021
3	NCDMB MINISTERIAL REGULATIONS	<ul style="list-style-type: none"> a. MINISTERIAL REGULATION FOR THE FURTHER GROWTH OF INDIGENOUS CAPACITY 2021 b. MINISTERIAL REGULATION FOR TRAINING IN THE NIGERIAN OIL AND GAS INDUSTRY 2021 c. MINISTERIAL REGULATION FOR THE ESTABLISHMENT OF OPERATIONS IN NIGERIA 2021
4	NCDMB POLICIES	<ul style="list-style-type: none"> a. NIGERIAN CONTENT POLICY ON PROCUREMENT AND UTILIZATION OF PERSONAL PROTECTIVE EQUIPMENT IN THE NIGERIAN OIL AND INDUSTRY 2022 b. NIGERIAN CONTENT POLICY ON PROCUREMENT OF PUMPS AND VALVES 2023 c. NIGERIAN CONTENT POLICY ON PROCUREMENT OF BARE LINE PIPES 2022