

UPDATE ON THE LIST OF CONCLUDED CASES FILED AGAINST THE BUREAU.

S/N	CASES	SUCCESSFUL PARTY	ISSUES/PLAINTIFF'S CLAIM
1.	FHC/ABJ/CS/1449/2020 Between PPP ADVISORIES & 2 ORS V. ATTORNEY GENERAL OF THE FEDERATION	Judgment delivered in favour of the Bureau.	The issue in this case was whether the disqualification of PPP Advisories Consortium by the Federal Ministry of Justice as communicated via a letter dated 28 th July, 2020 wherein the PPP Advisories Consortium's Technical/Financial Bids submitted were not adjudged responsive due to the fact that the lead partner is not a registered Civil Society Organization (cso) is wrongful, illegal and void..
2.	FHC/PH/CS/25/2023 COMRADE JOHN TEDEUM GAAGE & 7 ORS V. THE HON. MINISTER, FEDERAL MINISTRY OF OF ENVIRONMENT & 7 ORS.	Ruling delivered in favour of the Bureau	The issues in this case were: Whether the General Ministry of Environment and HYPREP are operating the hydrocarbon clean-up/remediation activities in Ogoni land contrary to local content imperatives by virtue of the combined effect of Sections 6, 7, 8, 9, 10, 11, 13, 14, 15 16 of the Nigeria Oil and Gas Industry Content Development Act (NOGICD), 2010 and the Host Community Content Guidelines of 2017 of the Nigeria Content Development and Monitoring Board. Whether the members of the Ogoni Indigeneous Contractors' Forum are entitled to to the right-of-first refusal and exclusive first consideration in HYPREP's award of remediation and other contracts in Ogoniland to the minimum Ogoni content and in accordance with Article 4.3 of Community Guidelines of Nigeria Content Development and Monitor, 2017.
3.	SUIT NO: FHC/ABJ/CS/314/19 Between CHIEF EBUBECHUKWU ETUDO V. BUREAU OF PUBLIC PROCUREMENT	Judgment delivered against the Bureau	The issues in this case were: Whether the Bureau wa in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement

			<p>initiated by the Federal Ministry of Trades & Investment.</p> <p>Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Federal Ministry of Trades & Investment until the petition forwarded by Etudo & Co was resolved.</p>
4.	<p>SUIT NO: FHC/ABJ/CS/32/2021.</p> <p>Between CHIEF EBUBECHUKWU ETUDO V. BUREAU OF PUBLIC PROCUREMENT</p>	Judgment delivered in favour of the Bureau	<p>The issues in this case were: Whether the Bureau wa in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by the Federal Ministry of Works & Housing.</p> <p>Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Federal Ministry of Works & Housing until the petition forwarded by Etudo & Co was resolved.</p>
5.	<p>SUIT NO: FHC/ABJ/CS/1382/2019.</p> <p>Between SHELTER DEVELOPMENT LIMITED V. THE DG,BPP & 3 ORS</p>	Judgment delivered against the Defendants	<p>The issue in this matter were: whether the 1st Defendant (FCDA) adopted a National or International competitive bidding in the procurement for its office extension awarded to the Shelter Development Limited.</p> <p>Whether the principles of Margin of Preference contains in the Executive Order 6 applies to National Competitive Bidding as done by the FCDA in instant procuremet.</p>
6.	<p>SUIT NO: FHC/ABJ/CS/31/2022.</p> <p>Between CHIEF EBUBECHUKWU LOTA ETUDO V. BUREAU OF PUBLIC PROCUREMENT & 1 ORS</p>	Judgment delivered in favour of the Bureau	<p>The issues in this case were: Whether the Bureau was in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by the Nigerian National Petroleum Commission.</p>

			Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Nigerian National Petroleum Commission until the petition forwarded by Etudo & Co was resolved.
7.	SUIT NO: FHC/ABJ/CS/1617/2022. Between CHIEF EBUBECHUKWU LOTA ETUDO V. BUREAU OF PUBLIC PROCUREMENT & 1 ORS	Judgment delivered in favour of the Bureau	The issues in this case were: Whether the Bureau was in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by News Agency of Nigeria. Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the News Agency of Nigeria until the petition forwarded by Etudo & Co was resolved.
8.	SUIT NO: FHC/ABJ/CS/1615/2021. Between CHIEF EBUBECHUKWU LOTA ETUDO V. BUREAU OF PUBLIC PROCUREMENT & 1 ORS	Judgment delivered in favour of the Bureau	The issues in this case were: Whether the Bureau was in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by Federal Ministry of Aviation Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Federal Ministry of Aviation until the petition forwarded by Etudo & Co was resolved.
9.	SUIT NO: FHC/ABJ/CS/1451/2020. Between ARCHIVE GLOBAL MANAGEMENT LTD. V.BPP & ORS	Judgment delivered in favour of the Bureau	<u>The</u> issues in this case were: The Medical and Dental Council of Nigeria embarked on procurements of design of Medical and Dental Council of Nigeria (MDCN) web application portal (scope 2) and E-Archiving of 100, 000 Doctors' file (scope 3).

			<p>The Council awarded the contract for the procurements of design of Medical and Dental Council of Nigeria (MDCN) web application portal (scope 2) and E-Archiving of 100, 000 Doctors' file (scope 3) to Archive Global Management Ltd.</p> <p>After the award, the Bureau received a petition from Messrs Cagewox Dot Net Limited challenging the procurement process.</p> <p>Upon said petition, the Bureau review the procurement process and found out that the Archive Global Management Ltd ought not to have been prequalified by the Council based on the prequalification criteria as advertised and that the contract price was excessive.</p> <p>That based on the findings of the Bureau, the Bureau reviewed the contract price downwards in order to serve the justice of the matter.</p>
10.	<p>SUIT NO: FHC/ABJ/CS/1032/2021.</p> <p>Between G-NETWORK PROJECT LTD V. THE FEDERAL POLYTECHNIC BAUCHI & 2 ORS</p>	Judgment delivered in favour of the Bureau	<p>The brief facts of this case is that: G-Network Project Ltd took part in a procurement advertised by Federal Polytechnic Auchi for the construction of science laboratory technology department, Lot C2 2016-2019 merged annual TETFUND intervention project</p> <p>After the bid opening, the Polytechnic disqualified G-Network Project Ltd's financial bid opening on the ground that it did not comply with the Invitation to Tender,</p> <p>Being dissatisfied with the Polytechnic's decision, G-Network Project Ltd applied to the Bureau for an administrative review.</p> <p>Upon review of the entire procurement processes, the Bureau also found G-Network Project Ltd as ineligible for the award of the contract, hence the Company appealed to the Court</p>

			for a review of the Bureau's decision.
11.	SUIT NO: FHC/ABJ/CS/1616/2021. Between CHIEF EBUBECHUKWU LOTA ETUDO V. BPP & ANOR	Judgment delivered in favour of the Bureau	The issues in this case were: Whether the Bureau wa in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by the Nigeria Customs Service. Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Nigeria Customs Service until the petition forwarded by Etudo & Co was resolved.
12.	SUIT NO: FHC/ABJ/CS/394/2022. Between CHIEF EBUBECHUKWU LOTA ETUDO V. BPP & ANOR	Judgment delivered in favour of the Bureau	The issues in this case were: Whether the Bureau wa in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by the Federal Ministry of Transportation. Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted by the Federal Ministry of Transportation until the petition forwarded by Etudo & Co was resolved.
13.	SUIT NO: FHC/ABJ/CS/1519/2021. Between CHIEF EBUBECHUKWU LOTA ETUDO V. BPP & ANOR	Judgment delivered in favour of the Bureau	The issues in this case were: Whether the Bureau wa in breach of Section 54 (1) of the PPA, 2007 by its failure to conduct administrative review of the complaint referred to it by Etudo & Co. in respect of a procurement initiated by the Federal Ministry of Works & Housing. Whether the Bureau is in breach of its statutory duties under Section 54 (4) (b) (i-iv) by its failure to order the suspension of the procurement exercise conducted

			by the Federal Ministry of Works & Housing until the petition forwarded by Etudo & Co was resolved.
14.	SUIT NO: FHC/PHC/CS/102/2022. Between INCORPORATED TRUSTEES OF EKRE PYA OGONI V. MINISTER OF ENVIRONMENT & 3 ORS	Judgement delivered in favour of the Bureau.	The Incorporated Trustees Of Ekre Pya Ogoni, the Plaintiff in this case, made applications to the Bureau for information regarding HYPREP, under the Freedom of Information Act. The Bureau informed the Plaintiff to redirect its application to Federal Ministry of Environment as Bureau was not seized of the information. Being dissatisfied, the Trustees filed an application for mandamus.
15.	SUIT NO: FHC/ABJ/CS/2001/2021. Between RED STAR GLOBAL CONSTRUCTION LIMITED	Ruling delivered in favour of Bureau	The main issue in this case is: whether having regard to the true construction of the combined provisions of Sections 24,25, and 40 of the Public Procurement Act, 2007, and the mandatory requirement for ALL procurements of goods and works by all procuring entities of the Federal Government of Nigeria to be conducted by an open and transparent competitive bidding over which the Nigeria Port Authority and the Bureau of Public Procurement cancelled or advised the cancellation of the procurement proceedings by selective tendering method in respect of Public Notice No. 4125; the Nigeria Port Authority was at liberty or entitled to cancel or advise the cancellation of the successful transparent International Competitive Biddings and procurement proceedings in respect of Public Notice No. 4136 for Lot 3 for the dredging and management of the Port Access Channels of Warri/Escravos Pilotage District.
16.	FHC/L/CS/494/2023 DREDGING AND RECLAMATION JAN DE NUL LTD V. THE HON. MINISTER OF TRANSPORTATION & 3 ORS.	Ruling delivered in favour of Bureau.	The germane issue in this case was: Whether having regard to the true construction of the combined provisions of Sections 24, 28, and 32 of the

			<p>Public Procurement Act, 2007 and having met all the technical requirements and standards contained in the tender document and Public Notice number 4136 for the International Competitive Bidding for Lot No. 1 for the dredging and management of the Port Access Channel of Lagos Pilotage District as admitted by the Nigerian Ports Authority in its evaluation Report of combined Request for Proposal (RFP) Technical and Financial on the engagement of Dredging companies as Technical Partners for the Channel Management of Lagos Pilotage District and for which Dredging And Reclamation Jan De Nul emerged as the winner, the Company was entitled to be issued with the Certificate or Letter of Award of the contract of Lot No. 1 for the dredging and management of the Port Access Channel of Lagos Pilotage District with or without any expansion in the scope of work in so far as the Company can meet all financial requirements for any variation to the scope of work.</p>
17.	<p>SUIT NO: FHC/J/CS/112/2022.</p> <p>BETWEEN CHARLIM ASSOCIATES NIG. LTD V. JOS UNIVERSITY TEACHING HOSPITAL & ANOR</p>	Judgmedelivered in favour of Bureau	<p>The brief facts of this case is as follows:</p> <p>The Charlim Associates Nig. Ltd, the Plaintiff in this case, applied the Bureau requesting for an administrative review, of the Procurement which is the subject matter of the suit.</p>

			<p>The Bureau responded to the Company's application for an administrative review, wherein the Bureau stated that the Company's direct complaint with the Bureau after the debrief without first making a formal complaint to the Jos University Teaching Hospital, who was the Procuring Entity is a contravention of the complaint recourse procedures under the Public Procurement Act, 2007.</p> <p>The Bureau advised the Company to lodge its complaint with the Jos University Teaching Hospital, the Procuring Entityt within 15 working days.</p> <p>Being dissatisfied with the Bureau's advice, the Company filed the instant Suit wherein judgment was delivered in favour of the Bureau.</p>
24	<p>SUIT NO: FHC/ABJ/CS/417/18 Between ADVISION COMMUNICATIONS LTD & ANOR V.FEDERAL MINISTRY OF ENVIRONMENT & 3 ORS</p>	<p>Judgment was elivered in favour of Bureau</p>	<p>The issue in contention in this case were:</p> <p>Whether the procurement process in LOT A3 that threw up the Alliance Boot Ltd as the winner of the bid is void ab initio same being in clear violation of the Public Procurement Act as the Alliance Boot Ltd was not and is not qualified ab initio, to bid for the contract for HYPREP Media and Consultancy Services in Ogoni land Lot A3,</p> <p>Where the award of contract in respect of Media and Public Relations Consultancy Service for Hydrocarbon Pollution Remediation Project (HYPREP) (OGONI LAND CLEAN UP) Lot A3, to the Alliance Boot Ltd by the Federal Ministry of Environment is a nullity</p>

			<p>same being in flagrant breach of extant provision of the Public Procurement Act, governing procurement process.</p> <p>Advison claimed the award of the HYPREP Lot A3 Media and Public Relations Consultancy Service to Alliance Boot Ltd as unlawful, arguing they were unqualified, and seeks to restrain its execution, but the Bureau, on judicial review, disqualified Advison for not providing tax clearance evidence.</p>
25.	<p>SUIT NO: FHC/PH/CS/77/2023</p> <p>Between HRH CHIEF BENEDICT TENALO AND ANOR & HON. MIN OF ENVIRONMENT & 5ORS</p>	Judgment was delivered in favour of Bureau	<p>The 1st Plaintiff, Chief Bendict is claiming that they are entitled to a right of first refusal and priority consideration in the award of all Clean-up, Remediation, and Restoration contracts in their community, and are seeking an order compelling Shell Petroleum Dvelopment Company of Nig Ltd to ensure that such contracts are executed strictly in line with the "Bodo Template," while also asking for an order restraining the Bureau from excluding them from the contract awards.</p>
27	<p>SUIT NO: FHC/ABJ/CS/1453/2020</p> <p>Between INSIGHT DYNAMIC RESOURCES & HON. MIN OF TRANSPORTATION & 2 ORS</p>	Judgment was delivered in favour of Bureau	<p>The main issue raised in this case was: Whether the request by the Honourable Minister of Transportation for, and the issuance by the Director General of the Bureau of Public Procurement of, a Certificate of No Objection solely in favour of CCECC Nigeria Limited for the Port Harcourt–Maiduguri Eastern Narrow Gauge Railway rehabilitation and reconstruction contract without consideration of other qualified and interested companies contravenes</p>

			Sections 16 and 40 of the Public Procurement Act, 2007; and whether the Federal Executive Council can validly relied on such a Certificate issued in breach of due process.
28	SUIT NO: FHC/ABJ/CS/1002/2023 Between NEFGAD & FRN & 3 ORS	The matter was struck out	The main issue rased in this case was: Whether the failure of the President of the Federal Republic of Nigeria to constitute the National Council on Public Procurement, as mandated by the Public Procurement Act, 2007, amounts to a breach of the Act and warrants an order of Court compelling the immediate constitution of the Council.
29.	SUIT NO: FHC/V/CS/1555/24 Between FUNSHO DOHERTY & ATTORNEY GENERAL OF FEDERATION & 2 ORS	Judgment was delivered in favour of Bureau	The issues in this case were; Whether the award of the Lagos-Calabar coastal road project to Hitec without open competitive bidding, and the commencement of construction without conducting an Environmental Impact Assessment, are unlawful for being in breach of the Public Procurement Act, 2007 and the Environmental Impact Assessment Act, 1992; and whether the Burreau and the Federal Ministry of Environment failed in their statutory duties to ensure compliance with these laws.
30.	FHC/KN/CS/193/2023. Between ASSOCIATION OF METER MANUFACTURERS OF NIGERIA V. TRANSMISSION COMPANY OF NIGERIA & 4 ORS.	Ruling delivered in favour of Bureau	The Plaintiff claimed that, being the body that manufactures meters in Nigeria, they ought to have been given a right of first refusal for all procurement supply of meters by the Transmission Company of Nigeria
31.	SUIT NO: FHC/ABJ/CS/1259/2021. Between BARGER CONSORT LIMITED V. PETROLEUM TECHNOLOGY DEVELOPMENT FUND & 2 ORS	Ruling delivered in favour of the Bureau	The issue in contention in this was: Whether the issuance of a Certificate of No Objection by the Bureau in favour of Messrs Dekit Construction Ltd for the Completion of New Hostel Project, Effurun, Delta State, contrary to the recommendations of PTDF and in substitution of the Plaintiff, is unlawful, and ultra vires the powers

			<p>of the Bureau under the Public Procurement Act, 2007; Barger also went ahead to seek an order nullifying the existing Certificate, compelling the Bureau to issue a Certificate of No Objection in its favour as recommended, and a perpetual injunction preventing the Bureau from awarding the contract to any other contractor.</p>
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