

**NAME OF PROCURING ORGANISATION: GAMBIA LIVESTOCK
MARKETING AGENCY.**

DATE: THURSDAY 15th July, 2015

COMPLIANCE RELATED ISSUES.

During the examination of procurement records of Gambia Livestock Marketing Agency presented for audit, we noted that most of the basic requirements for compliance were met except for the following:

Institutional Structures (Specialised Procurement Unit)

Section 51 of the Act mandates the establishment of a Specialized Procurement Unit for the purpose of conducting procurement and procurement activities in accordance with the Act and its attendant Regulations.

Observation:

It was observed that **GLMA** has a specialized procurement unit/procurement officer is not in practice, fully involved in the conduct of procurements.

Implication:

1. Procurements may be individualized for personal gains.
2. Accountability and transparency are not assured.
3. Causes the use of wrong procedure which can lead to wrong award decisions.

Recommendation:

It is recommended that **GLMA** transfers the functions in practice of the conduct of its procurements to the SPU/Procurement Officer as provided for in both the Act and its attendant Regulations.

Conclusion:

Using the above compliance related variables for the period under review **GLMA** was found to be **95%** which denotes substantially compliant with the Public Procurement Act 2001 and its attendant Regulations 2003.

Compliance Trend.

2010	2011	2012	2013	2014
NA	75%	99%	99%	95%

NAME OF PROCURING ORGANISATION: SERREKUNDA GENERAL HOSPITAL

DATE: THURSDAY 27th August 2015

Compliance Related Issues:

During the examination of procurement records of **Serrekunda General Hospital (SKH)** presented for audit, the reviewers noted that most of the basic requirements for compliance were met except for the following:

1. Filling of requisite GPPA Forms:

Observation: Serrekunda General Hospital (SKH) was not fully compliant with this variable. The Organisation had not completed Reporting Forms **such as 041 - Record of Supplier Performance Assessment and 101 - for Record of Request for Quotations** for the year under review.

Implication

1. Adherence to GPPA procedures cannot be assured
2. Persons can easily 'pull-head' when misprocurement is detected
3. Tracking past procurements is hard
4. The principle of team work is discouraged

Recommendation: Serrekunda General Hospital should ensure that all procurement transactions are reported using the requisite GPPA Forms. For example, GPPA Reporting Forms highlighted above should be completed as per procurement methods to ensure all required documentations are filed accordingly.

2. Thresholds & Procurement Methods

As stipulated in the **Regulations 12, and the Act Part VII Section 45**, methods of procurements are referenced to and determined by the threshold.

Observation

The reviewers observed that **Serrekunda General Hospital (SKH)** had not adhered to stipulated procurement method as per the corresponding threshold for the following. (See below for transactions above the threshold):

DATE	P V NO	PAYEE	DESCRIPTI ON	AMOUNT
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24/11/14	02695685	Banjul Oxygen	Oxygen	D 16,800.00
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Recommendation

Serrekunda General Hospital (SKH) is therefore advised to ensure compliance with the stipulated procurement method and its attendant threshold as dictated by the Public Procurement Laws.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with the Procurement Officer and the Accountant as regards our findings. Need for adherence to the stipulated thresholds, filling all GPPA Forms, among other things were recommended to the management. It was also recommended to **Serrekunda General Hospital** to enter into framework agreement with suppliers of items that are frequently needed in order to address emergency situations as highlighted in the **Instruction Part V 1(2)** which states that *“framework transactions are contractual arrangements that can provide an efficient, cost effective and flexible means to procure goods, works or services that the procuring organisation needs continuously or repeatedly over a period of time. Spare parts for routine equipment maintenance, office supplies such as stationery and pens, and medical supplies such bandages are common examples of the types of goods that might be purchased under framework transaction. On-call routine maintenance services, like plumbing and electrical repairs, illustrate the type of service needs that may be procured efficiently under framework transactions”*.

CONCLUSION: Using the above compliance related variables, for the period under review, **Serrekunda General Hospital (SKH)** was found to be **95% which denotes SUBSTANTIALLY COMPLIANT** with the Public Procurement Act 2001 and the Regulations 2003.

Summary of Compliance Trend

2012	2013	2014
89%	80%	93%

NAME OF PROCURING ORGANISATION: BANSANG HOSPITAL (BH)

DATE: TUESDAY 27TH October 2015

Compliance Related Issues

During the examination of procurement records of institution presented for audit, we noted that almost all the basic requirements for compliance were met **EXCEPT** the following:

1. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Bansang hospital (BH) did not submit its an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

Implications:

1. There is the risk of unplanned expenditure.
2. Funds appropriated for specific items may not be used as budgeted.
3. The objectives set forth in Section 3 of the Act may be defeated.
4. Value for money may not be achieved if the procurement is not planned.

Recommendation:

Bansang hospital (BH) is obliged to comply with this important provision of the Act.

2. Completion and Submission of Monthly Reports:

To ensure effective monitoring and data collection, Section 48 (10) of the Act requires that “a Contracts Committee shall submit, to the Authority for review, monthly reports on all the Local Purchase Orders (LPOs) done by the Contracts Committee” using GPPA Forms 006 and 200.

Observation the Bansang hospital (BH) had not submitted monthly reports to the Authority for scrutiny in accordance with **Section 48(10) and Regulations:** During the period under review, it was observed that **119 (3 &4) & 161(1).**

Implication:

1. 'Misprocurements may go undetected for months.
2. Difficulty for the Authority to establish a trend or status of procurement for timely remedial action.
3. There is difficulty in monitoring and analysing the data on post procurement activities.

Recommendation:

The recommendation is that **The Bansang hospital (BH)** should be submitting its monthly reports in line with the provisions set forth in this Act and its attendant Regulations i.e. submission of monthly reports on a monthly basis.

3. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for the eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	PAYEE	DISCRIPTION	AMOUNT
30.6.14	NA	ALH,ALICO SECKZ	CEMENT	D27,000.00
25.2.14	NA	FANA FANA SHOP	MATTRESS	D12,800.00
11.9.14	NA	MUTARR JALLOW	REFILLING OF GAS BOTTLE	D10,800.00
1.10.14	NA	BHANIKA ENT	PAINT,CABLE,NAIL ETS	D22,000.00
27.11.14	NA	FANA FANA SHOP	BUILDING MATERIAL	D15,045.00
6.1.14	NA	MAKK CHEMIST	ZINC OXICLE	D11,250.00
17.04.14	NA	BIRAN JOOF	WELDING MATERIAL	D49,500.00

Implication:

1. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
2. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

4. Proper filing system and codification:

Observation: The **Bansang hospital (BH)** procurement transaction documents are not filed according to procurements and the recommended numbering sequence has not been applied. The purpose of the numbering system is to ensure that each and every transaction is sequentially and uniquely numbered to provide an audit mechanism to create and maintain files. This number shall be known as the procurement number and shall be assigned at the requisition stage of the procurement. Also, the numbering system shall be controlled by the SPU and monitored by the contracts committee. The number shall not be reused even if the original procurement is cancelled. The said number shall appear at the top of all GPPA Forms where it is designated “**procurement number**” with the following elements: **procuring organisation/department/fiscal year/sequence number/Tender, RFQ or RFP number or purchase order number**: Examples:

Request for Quotation **BH/ADMIN/2014/00028/RFQ;001**

Single Source **BH/ADMIN/2014/00028/SS;001**

Open Tender **BH/ADMIN/2014/00028/OT;001**

Restricted Tender **BH /ADMIN/2014/00028/RT;001**

Request for Proposal **BH/ADMIN/2014/00028/RFP; 001**

Implication:

1. The poor filing system makes the audit exercise cumbersome and time-consuming.
2. There is risk that any missing payment voucher could go undetected and would be difficult to trace for audit and reference purposes.

Recommendation:

In future, **The Bansang hospital (BH)** should ensure that correct procedure of filing and serial numbering is followed as highlighted above in order to facilitate tracing documents for audit and reference purposes.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with the Accountant as regards our findings. The need of timely submission of relevant reporting forms to the Authority for analysis, solicitation documentation, submission of Annual procurement Plan, some invoices are not sign, forms and invoices are filled separately, awarding of contracts to deserving and registered suppliers and among other things were recommended to the management. In the same vein, the Authority has also observed that BSGH has **No** Assets Register in place. The Hospital is advised to prepare and file a fixed assets register for reference purpose. It was also recommended to BSGH to enter into framework agreement with suppliers on items that are frequently needed by the Hospital in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **BANSANG HOSPITAL (BH)** was found to be **50% which denotes Fairly -COMPLIANT** with the Public Procurement Act 2014 and the Regulations 2003.

NAME OF PROCURING ORGANISATION: SULAYMAN JUNKUNG GENERAL HOSPITAL.

DATE: THURSDAY 5TH NOVEMBER, 2015

Compliance Related Issues

During the examination of procurement records of the institution presented for audit, we noted that almost all the basic requirements for compliance were met **EXCEPT** the following:

1. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Observation: SULAYMAN JUNKUNG GENERAL HOSPITAL (SJGH) had not submitted an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

Implications:

1. There is the risk of unplanned expenditure.
2. Funds appropriated for specific items may not be used as budgeted.
3. The objectives set forth in Section 3 of the Act may be defeated.
4. Value for money may not be achieved if the procurement is not planned.

Recommendation:

SJGH is obliged to comply with this important provision of the Act.

2. Completion and Submission of Monthly Reports:

To ensure effective monitoring and data collection, Section 48 (10) of the Act requires that “a Contracts Committee shall submit, to the Authority for review, monthly reports on all the Local Purchase Orders (LPOs) done by the Contracts Committee” using GPPA Forms 006 and 200.

Observation: During the period under review, it was observed that **SJGH** had not submitted monthly reports to the Authority for scrutiny in accordance with **Section 48(10) and the Regulations 119 (3 &4) & 161(1)**.

Implication:

1. 'Misprocurements may go undetected for months.
2. Difficulty for the Authority to establish a trend or status of procurement for timely remedial action.
3. There is difficulty in monitoring and analysing the data on post procurement activities.

Recommendation:

The recommendation is that **SJGH** should be submitting its monthly reports in line with the provisions set forth in this Act and its attendant Regulations i.e. submission of monthly reports on a monthly basis.

3. Filling of requisite GPPA Forms:

Observation: SJGH was not fully compliant with this variable. The Organisation had not completed Reporting Forms such as 100 - National Requisition Form and 004 - Record of Request for Quotations, 040 - for Payment Authorisation, 041 - Record of Supplier Performance Assessment and 101 - for Record of Request for Quotations, 003 - Record of Single Source Procurement, 012 - Certification made by members of the Contracts Committee, 201 - Annual report of Single Source procurements for the year under review.

Implication

1. Adherence to GPPA procedures cannot be assured
2. Persons can easily 'pull-head' when misprocurement is detected
3. Tracking past procurements is hard
4. The principle of team work is discouraged

Recommendation: SJGH should ensure that all procurement transactions are reported using the requisite GPPA Forms. For example, GPPA Reporting Forms highlighted above should be completed as per procurement methods to ensure all required documentations are filed accordingly.

4. Solicitation Documentation

The solicitation of documents shall not be geared toward a single or cluster of suppliers. Equal opportunities should be given to all deserving suppliers to compete- Section 3 of the Act.

Observations: It was observed that **SJGH's** solicitation documents were biased toward the following cluster of suppliers. These practice contravenes Section 3 of the Act. This cluster of suppliers include:Fatty trading,Otta General Motors,Nuha trawally etc.

Implication

1. Responsiveness cannot be relatively measured and this can lead to wrong award decisions
2. No comparative analysis in award decisions
3. Deserving suppliers are denied the opportunity to compete, hence there is bias towards a supplier(s)
4. Value for money may not be realised

Recommendation: It is recommended that all potential suppliers be given equal opportunity to participate and compete in the procurement process. For frequently needed goods and or services, framework agreement with regular suppliers may be considered. You are to note that this framework contract must be submitted to the Authority for approval before the Procuring Organisation can enter in to any framework agreement with any prospective supplier.

5. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	PAYEE	DISCRIPTION	AMOUNT
23.6.14	NA	Fatty Trading	goods	D19,960.00
18.2.14	000019	Fatty Trading	Food stuff	D38,000.00
4.4.14	NA	Nuha Trawally	Metal Doors	D79,000.00
22.4.14	NA	Moses Diesel	Maintenance	D16,600.00
21.7.14	NA	Chally Jatta	Repair of AC	D39,500.00

Implication:

1. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
2. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

5. Proper filing system and codification:

Observation: SJGH procurement transaction documents are filed according to procurements but the recommended numbering sequence has not been applied. The purpose of the numbering system is to ensure that each and every transaction is sequentially and uniquely numbered to provide an audit mechanism to create and maintain files. This number shall be known as the procurement number and shall be assigned at the requisition stage of the procurement. Also, the numbering system shall be controlled by the SPU and monitored by the contracts committee. The number shall not be reused even if the original procurement is cancelled. The said number shall appear at the top of all GPPA Forms where it is designated “**procurement number**” with the following elements: **procuring organisation/department/fiscal year/sequence number/Tender, RFQ or RFP number or purchase order number**: Examples:

Request for Quotation **SJGH/ADMIN/2014/00028/RFQ;001**

Single Source **SJGH /ADMIN/2014/00028/SS;001**

Open Tender **SJGH/ADMIN/2014/00028/OT;001**

Restricted Tender **SJGH /ADMIN/2014/00028/RT;001**

Request for Proposal **SJGH /ADMIN/2014/00028/RFP;001**

Implication:

1. The poor filing system makes the audit exercise cumbersome and time-consuming.

2. There is risk that any missing payment voucher could go undetected and would be difficult to trace for audit and reference purposes.

Recommendation:

In future, **SJGH** should ensure that correct procedure of serial numbering is followed as highlighted above in order to facilitate tracing documents for audit and reference purposes.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with the Accountant as regards our findings. The need to establish a Contracts Committee, timely submission of relevant reporting forms to the Authority for analysis, adherence to the stipulated thresholds, awarding of contracts to deserving and registered suppliers among other things were recommended to the management. It was also recommended to **SJGH** to enter into framework agreement with suppliers of items that are frequently needed by the Hospital in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **SULAYMAN JUNKUNG GENERAL HOSPITAL** was found to be **55% which denotes FAIRLY COMPLIANT** with the Public Procurement Act 2014 and the Regulations 2003.

NAME OF PROCURING ORGANISATION: GAMTEL

DATE: WEDNESDAY 1st JULY, 2015.

Compliance Related issues

1. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for eligibility for public contracts.

Observation: Having gone through the records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	VCH	AMOUNT	PAYEE	ITEM PROCURED	PRO.METHOD	REMARKS
20/01/14	000661	D12,436.00	Abdou Touba	PES U-BOLT	RFQ	Not Registered
2/7/14	0013032	D18,500.00	De Pass	Fuel Requisition Book	RFQ	Not Registered
18/9/14	019538	D11,875.00	Total Aluminium	Tiling of Battery Rooms	RFQ	Not Registered

Implication:

1. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
2. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 24** of the Public Procurement Act. You are also reminded to revert to the GPPA website (www.gppa.gm) for further verification of GPPA registered suppliers.

Other Related Issues

After the examination of all records presented for review the reviewers had an exit meeting with the Senior Procurement Manager and the Procurement Manager as regards our findings. The issue of Unregistered suppliers was discussed a Gamtel did some of their business with unregistered suppliers .Management showed concerned as to our findings and are willing to implement our recommendations.

CONCLUSION: Using the above compliance related variables, for the period under review, **Gamtel** was found to be **95% which denotes Substantially COMPLIANT** with the Public Procurement Act 2001 and the Regulations 2003.

Compliance trend

2012	2013	2014
88%	90%	95%

NAME OF PROCURING ORGANISATION: NATIONAL FOOD SECURITY PROCESSING AND MARKETING COOPERATION.

DATE: MONDAY 27th JULY 2015

1. Institutional Structures (Specialised Procurement Unit)

Section 51 of the Act mandates the establishment of a Specialized Procurement Unit for the purpose of conducting procurement and procurement activities in accordance with the Act and its attendant Regulations.

Observation:

It was observed that **NFSPMC** has a specialized procurement unit/procurement officer but it was observed that the **SPU** does not conduct all the Co-operation procurement during the year under review. This practice is contrary to the provision of the Public Procurement Act and should be stopped without delay.

Implication:

1. Procurement may be individual for personal gains.
2. Accountability and transparency are not assured.
3. Causes the use of wrong procedure which can lead to wrong award decisions.

2. Filling of requisite GPPA Forms:

Observation: National Food Security Processing & Marketing Cooperation (NFSPMC) was not fully compliant with this variable. The Organisation had not completed **Reporting Forms such as 004 - Record of Request for Quotations, 040 - for Payment Authorisation, 041 - Record of Supplier Performance Assessment and 101 - for Record of Request for Quotations, 003 - Record of Single Source Procurement, 012 - Certification made by members of the Contracts Committee, 201 - Annual report of Single Source procurements** for the year under review.

Implication

1. Adherence to GPPA procedures cannot be assured
2. Persons can easily 'pull-head' when misprocurement is detected
3. Tracking past procurements is hard

4. The principle of team work is discouraged

Recommendation:

NFSPMC should ensure that all procurement transactions are reported using the requisite GPPA Forms. For example, GPPA Reporting Forms highlighted above should be completed as per procurement methods to ensure all required documentations are filed accordingly.

3. Thresholds & Procurement Methods

As stipulated in the **Regulations 12, and the Act Part VII Section 45**, methods of procurements are referenced to and determined by the threshold.

Observation

The reviewers observed that **National Food Security & Marketing Cooperation (NFSPMC)** had not adhered to stipulated procurement methods as per the corresponding thresholds. In addition, the procedures were not approved by the Authority. (See below for transactions above the threshold):

DATE	PV NO	SUPPLIERS	DESCRIPTION	AMOUNT
05/09/14	004214	Nasser Foam	Tyres	D32, 000
25/02/14		Equa Energy	Supply of Lubricant	D45, 000
05/05/14	0000182	F.M & S Enterprise	Stationeries	D12, 390
06/05/14	0000201	Today Mini Market	Sundries	D13, 600
06/06/14	0000659	Sheikh ly	Rice	D21, 010
27/7/14	0000268	Fatou's Overseas Trade	Water Pumb	D10, 100
01/01/14	0000333	Shivam General	AC and Dispenser	D32, 800
24/07/14	0002926	Famoro General Enginery	Beach Sandy Screen Grave	D14, 500
05/06/14	0000162	Ali Baba	Sugar, milk, tea bags	D11, 825

Recommendation: National Food Processing & Marketing Cooperation (NFSPMC) is therefore advised to ensure compliance with the stipulated procurement method and its attendant thresholds as dictated by the Public Procurement Laws.

4. Solicitation Documentation:The solicitation of documents shall not be geared toward a single or cluster of suppliers. Equal opportunities should be given to all deserving suppliers to compete- Section 3 of the Act.

Observations: It was observed that (**NFSPMC**) solicitation documents were biased toward the following cluster of suppliers. This practice contravenes Section 3 of the Act. This cluster of suppliers include: **Kairaba Stationeries, MP Trading, Nasser Foam, MS Design & Printing and Atlas Trading.**

Implication:

1. Responsiveness cannot be relatively measured and this can lead to wrong award decisions
2. No comparative analysis in award decisions
3. Deserving suppliers are denied the opportunity to compete hence there is bias towards a supplier(s)
3. Value for money may not be realised

Recommendation: It is recommended that all potential suppliers be given equal opportunity to participate and compete in the procurement process. For frequently needed goods and or services, framework agreement with regular suppliers may be considered. You are to note that this framework contract must be submitted to the Authority for approval before the Procuring Organisation can enter in to any framework agreement with any prospective supplier.

5. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for the eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew with the Authority for the year under review (see below transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	SUPPLIER	DESCRIPTION	AMOUNT
28/07/14	001988	WAS	Flexible pipe	D3, 750
28/01/14	001903	Maya Traders	Torch light	D2,800
24/11/14	0008992	Mose Diesel	Injector nozzles, Calibration, injector	D5,600
09/01/14	000299	Moribolong 2 Enterprise	Spads	D3,750
27/07/14	000268	Fatou's Oversea Trade	Water pumb	D10, 100
08/1/14	000933	Moribolong 2 Enterprise	Hooks, corrugate	D8, 500

23/10/14	0008902	Escapag Gambia	Wheel Barrow	D5, 750
21/02/14	0008334	Sheikh Ly	Rice 25 kg	D7, 150
07/02/14	00488	Nacco Alumimium	Sliding	D8, 854
23/04/14	00716	Sheikh Ly	Food Items	D6, 505

Implication:

3. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
4. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

6. Proper filing system and codification:

Observation: National Food Security Processing & Marketing Cooperation (NFSPMC) procurement transaction documents are not filed according to procurements and the recommended numbering sequence has not been applied. The purpose of the numbering system is to ensure that each and every transaction is sequentially and uniquely numbered to provide an audit mechanism to create and maintain files. This number shall be known as the procurement number and shall be assigned at the requisition stage of the procurement. Also, the numbering system shall be controlled by the SPU and monitored by the contracts committee. The number shall not be reused even if the original procurement is cancelled. The number shall appear at the top of all GPPA Forms where it is designated “**procurement number**” with the following elements: **procuring organisation/department/fiscal year/sequence number/Tender, RFQ or RFP number or purchase order number**: Examples:

Request for Quotation **NFSPMC/ADMIN/2014/00030/RFQ00015/;**

Single Source **NFSPMC/ADMIN/2014/00028/SS00020/;**

Open Tender **NFSPMC/ADMIN/2014/000032/OT00001/;**

Restricted Tender **NFSPMC/ADMIN/2014/000035RT00002/;**

Request for Proposal **NFSPMC/ADMIN/2014/000025RFP00001/.**

Implication:

1. The poor filing system makes the audit exercise cumbersome and time-consuming.
2. There is risk that any missing payment voucher could go undetected and would be difficult to trace for audit and reference purposes.

Recommendation:

In future **National Food Security Processing & Marketing Cooperation (NFSPMC)** should ensure that correct procedure of filing and serial numbering is followed as highlighted above in order to facilitate tracing documents for audit and reference purposes.

Other Related Issues:

From records, it was observed that the cooperation single source a procurement value of D190, 643 from Batimat without any prior approval from GPPA This practice is contrary to the provision of the Public Procurement Act and should be stopped without delay.

Furthermore, it was also observed that the cooperation procured **two Toyota double cabin pick up** from CFAO Motors registration number **BJL 8283 J and B JL 8284 J** amounting to D3, 684, 600.00 (Three Million, Six Hundred and Eighty-four Thousand six Hundred Dalasis Only) without any prior approval from GPPA and this practice is contrary to the provision of the Public Procurement Act and its attendant Regulation.

In the same vein, it was observed that twelve Single source transaction with different supplier amounting to D107, 241 (One Hundred and seven thousand two hundred and forty four dalasis) were missing and in some cases payment done without receipt.

After the examination of all records presented for review, the reviewers had an exit meeting with the as regards our findings. The need to adherence to the stipulated thresholds, awarding of contracts to deserving and registered suppliers among other things was recommended to the management. In the same vein, the Authority has also observed that **NFSPMC** did not provide Assets Register in

place. The **NFSPMC** is advised to prepare and file a fixed assets register for reference purpose. It was also recommended to **NFSPMC** to enter into framework agreement with suppliers on items that are frequently needed by the Cooperation in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **National Food Security Processing & Marketing Coperation (NFSPMC)** was found to be **35% which denotes NON COMPLIANT** with the Public Procurement Act 2001 and the Regulations 2003.

COMPLIANCE TREND

<u>2012</u>	<u>2013</u>	<u>2014</u>
<u>65%</u>	<u>71%</u>	<u>35%</u>

NAME OF PROCURING ORGANISATION: UNIVERSITY OF THE GAMBIA

DATE: THURSDAY 12th August, 2015

COMPLIANCE RELATED ISSUES.

During the examination of procurement records of the University of The Gambia presented for audit, and after conducting a very rigorous compliance review on the procurement processes for the University of the Gambia, the review team noted that there was a very high level of non-compliance to the National Procurement Rules vis-a-viz GPPA Procurement procedures in the manner procurements were handled and conducted during the period under review.

FINDINGS AND RECOMMENDATIONS:

Institutional Structures (Contracts Committee & Specialised Procurement Unit)

Section 48 of the Act mandates the establishment of the Contracts Committee and its composition should be in accordance with Section 49 of the Act.

Observation:

There exist both a Contracts Committee and a specialized procurement unit. It is however disheartening the note that this specialized procurement unit has not handled and conducted **fifty nine** procurement transactions during the period under review. This is a gross violation of the Public Procurement Act and its attendant Regulations.

The Public Procurement Act calls for the segregation of functions and that all procurements (goods, works and services) shall be handled and conducted by members of the specialized unit including **fuel**.

Implication:

1. Disobedience to statutory provisions
2. Procurements may be individualized for personal gains since the due processes are not adhered to.
3. Accountability and transparency are not assured.
4. Causes the use of wrong procedure which can lead to wrong award decisions.

5. Leads to misprocurement and potential conflict of interest.

Procurements not handled/conducted by members of specialized procurement unit are as follows:

DESCRIPTION	AMOUNT	VOUCHER NUMBER	DATE	SUPPLIER
Food and refreshment	D6,000.00	004728	1/10/14	Mario
Refreshment	D3,840.00	003295	24/2/14	Coleman Restaurant
Chairs	D7000.00	004738	1/10/14	Aliou Jammeh
Fuel	D70,000.00	004573	16/9/14	Galp
Printing	D29,500.00	003301	24/12/14	DBC
Chicken	D3,750.00	004741	2/10/14	Karang Saikou Sillah
Catering	D6,000.00	004754	7/10/14	Fatou njie
Cleaning service	D50,000.00	004853	23/10/14	Settal Cleaning
Chair Rental & Decoration	D70,788.00	004866	23/10/14	EPM
Printing of Banners	D18,000.00	004881	27/10/14	Martins Graphic
Signboard	D25,000.00	004886	23/10/14	Alieu Cham
Additional guard house	D15,000.00	004018	4/6/14	Mex Ventures
Partitioning	D118,600.00	005044	17/11/14	SMS Trading
Souvenirs	D7,800.00	004037	10/6/14	Creation de Woodin
Installation of Generator	D37,700.00	004770	8/10/14	Ndure & Sons Ent
Vehicle Maintenance	D13,370.00	005155	19/11/14	Alhagie Ousman Touray
Servicing of UTG 19& 20	D22,443.00	005157	19/11/14	Safari Motors
Cutting of trees	D7,000.00	004788	14/10/14	Abou Bangura
Installation of Generator	D37,700.00	004799	16/10/14	Ndure and Sons Ent
Labeling of new van	D5,700.00	003123	6/02/14	Centage ventures
Payment of banner,tents and chairs	D142,656.00	003619	11/04/14	EPM
Printing	D7,000.00	003253	19/02/14	Era's Printers
Posting of office document	D6,302.00	003251	19/02/14	DHL
Cleaning services	D50,000.00	005170	24/11/14	Settal Cleaning services

Lab chemical	D190,850.00	003261	19/02/14	Masters Holding
Video Camera	D10,00.00	003172	24/11/14	Omar Jammeh
AC's for MBA Program	D74,000.00	005204	27/11/14	Veekay Enterprise
2 Projectors for ICT department	D70,000.00	005205	27/11/14	M.P Trading
Printing of brochures foe convocation	D30,000.00	003664	17/04/14	ink
Constructing a guard post	D274,000.00	003656/3184	15/04/14	Mex venture
Printing of exam booklet	D86,937.00	003918	27/5/14	Area light station
Housing renting	D60,000.00	005239	4/12/14	Sheikh ahmad denton
Plumbing material	D17,350.00	004990	6/11/14	ANPC
FUEL	D8000.00	004954	6/11/14	CNC
REPAIR OF UTG (S)	D5,365.00	004990	6/11/14	Mafagu bolly
Repair of HP LaserJet	D2000.00	005003	10/11/14	Scientific concg
Servicing of Utg (5)	D8330.00	005351	4/12/14	Alhagie ousman
Refurbishment of Utg house at AU villa # 149 and 151	D230,000.00	005302	4/12/15	Bibis trading
Toner tube & drum	D21,400.00	005010	12/11/14	Jaatas diverse solution
Maintenance public	D22,400.00	005018	12/11/14	BMS trading
Air condition	D53,000.00	003021	12/11/14	VEEKAY enterprise
Printing of examination booklets	D145,000.00	005353	16/12/14	Green light stationary
Design and production of pictures	D19,500.00	003026	13/11/14	Adimoh abdouhamid
Satellite installation	D1,500.00	005027	13/11/14	Momodou lamin bah
Cleaning service	D50,000.00	003741	2/05/14	Settal cleaning service
Maintenance of motor bike	D2000.00	005008	13/11/14	Bakary naso
Additional payment of guard post	D30,000.00	003565	01/04/14	Max venture
Maintenance 7,5,9,7	D35,650.00	005039	17/11/14	Alagie ausman
Printing of certificates	D9,000.00	004670	25/9/14	DBC
Payment of here of	D84,000.00	003414	12/03/14	EPM

chairs				
Camera for covering UTG events	D6000.00	004681	25/9/14	EPM
Additional 300 package for food	D153,000.00	003459	23/03/14	EPM
Printing	D670,200.00	003501	27/03/14	DBC
Dinner	D28,050.00	000872	4/4/14	Al Basha Entertainment
Courier Payment	D5,865.00	20596	20/5/14	BMS Trading
Insurance for UTG & UTG1A	D22,250.00	002842	8/10/14	Takaful
Vacancy Adverts	D26,000.00	0000059	11/7/14	Standard Co.ltd
Catering Services	D53,875.00	002836	8/01/14	Sangamar Catering
Partitioning of front office	D56,250.00	003855	19/5/14	BMS Trading Import &Export
TOTAL AMOUNT:				
D3,323,921:00				

This practice constitutes a gross violation of the Public Procurement Act and its attendant Regulations.

Recommendation:

The Authority strongly recommends that the conduct of all procurement functions, including **fuel**, be handled and conducted by bonafide members of the specialized procurement unit with immediate effect.

Filling of requisite GPPA Forms:

Observation: As indicated above, all those procurements not handled and conducted by the Specialized Procurement Unit (as above), had no supporting documents (requisite GPPA Forms) attached.

Subsequently, the UTG had not completed **Reporting Forms such as 100 – National Requisition Form and 004 – Record of Request for Quotations, 040 – for Payment Authorisation, 041 – Record of Supplier Performance Assessment and 101 – for Record of Request for Quotations, 003 – Record of Single Source Procurement, 012 – Certification made by members of the Contracts Committee**, for all those not handled/conducted by the specialized procurement unit of the UTG during the year under review.

Implication

1. Gross violation of the Public Procurement Regulations
2. Adherence to GPPA procedures cannot be assured
3. Persons can easily 'pull-head' when misprocurement is detected
4. Tracking past procurements is hard
5. The principle of team work is discouraged

Recommendation: **UTG** should ensure that all procurement transactions are captured and reported using the requisite GPPA Forms at the appropriate time and in the prescribed manner as provided for in the Regulations.

Thresholds & Procurement Methods

As stipulated in the **Regulations 12, and the Act Part VII Section 45**, methods of procurements are referenced to and determined by their attendant thresholds.

Observation

The reviewers observed that **UTG** had not adhered to stipulated procurement methods as per the corresponding thresholds.

In addition, the procedures were not approved by the Authority as no such requests were made. This constitutes multiple violations of the Public Procurement Regulations.

UTG used the single source procurement methods for all the procurements below without following the National Procurement Rules and ignored the required approvals. The monetary values associated to each transaction far exceeds the thresholds set for single transactions and therefore required by law to either solicit at least three quotations from independent and deserving suppliers/contractors or seek prior approval from the Authority. This provision was negated by the University of the Gambia.

Below is a tabular analysis of the single source procurement contract awards amounting to D2,512,432.00 were conducted by the UTG without the required prior approval from the Authority nor the required three quotations.

DATE	VCH.		PAYEE	DESCRIPTION	REMARK
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	NO	AMOUNT			
24.12.14	003301	D29,500	DBC	printing	no prior approval
04.12.14	004755	D42,500	Nuha Marena	renting	✓
23.10.14	004853	D50,000	Settal Cleaning Service	Cleaning service	✓
23.10.14	004866	D70,788	EMP Event Planning	decoration	✓
27.10.14	004881	D18,000	Martin's Sign & Design	Printing of banners	✓
27.10.14	004886	D25,870	Alieu Cham	Sigh board	✓
03.06.14	004018	D15,000	Mex ventures	Extra guard house	✓
08.10.14	004770	D37,700	Fildure and Sons Ent	generator installation	✓
27.10.14	004895	D60,000	Salmic catering service	Ground decoration	✓
08.04.14	003610	D15,000	Eye Africa	Streaming for convacation	✓
11.04.14	003619	D142,656	EPM	Banners, tents & chairs	✓
19.12.14	003257	D30,000	Ousainou S. Loum	House rent	✓
19.02.14	003260	D40,500	Therese Abraham	House rent	✓
23.11.14	005402	D31,150	Crown restaurant	Food & refreshment	✓
27.08.14	003501	D670,200	DBC	Convocation materials	✓
21.08.14	004411	D16,000	Al Rawshe L. Restaurant	Dinner	✓
03.09.14	004428	D13,180	Safari Motors	Vehicle servicing	✓
21.08.14	004414	D42,000	Sillah Trading Ent.	Computer repair	✓
28.02.14	003353	D22,430	MSC Mediterranean Shipping	Clearing of 4 containers	✓
2014	004412	D338,200	BMS Enterprise	renovation at Mile 7 residence	✓

Further to the above, both contracts for the ***cleaning services awarded to Settal Cleaning Service*** at **D50,000.00 a month**, the UTG ***rented apartments*** totalling to approximately **D1,400,000.00** and the UTG **medical insurance** have not followed the National Procurement Rules, as ex-ante approvals were neither sought nor given, thereby constitute a gross violation of the Public Procurement Act and its attendant Regulations.

The Regulations further states that the procuring organisation shall provide opportunities for local small enterprises and individuals to participate in an economic, transparent and fair manner as suppliers, contractors and subcontractors in public procurement.

Therefore, 'handpicking' any supplier without the due process as documented compromises some of the objective of the Public Procurement Act.

Implication:

1. There is risk that value for money was not obtained during the procurement process.
2. Can lead to wrong procurement award decisions
3. Possible price fixing by the 'handpicked' suppliers
4. Potential conflict of interest
5. Equal opportunities are not provided to other eligible and registered suppliers as there is potential biasness in the solicitation process.
6. Transparency could be compromised when the GPPA Act and Regulation are violated leading to an increased risk of fraud and corruption.
7. A fair opportunity to prospective suppliers is not ensured.

Recommendation

University of The Gambia is therefore advised to ensure compliance with the stipulated procurement method and its attendant thresholds as dictated by the Public Procurement Laws.

Further to that, the Authority strongly recommends that the stipulated thresholds be observed by the UTG or prior approvals be sought under special circumstances.

The Vice Chancellor/Chairman Contracts Committee should ensure that quotations are solicited from at least three different independent suppliers at

competitive prices and conditions to enable the University to select the bidder that provided the lowest-responsive quotation.

Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for the eligibility for public contracts.

Observation: During the review of the procurement records of UTG presented for audit, it was noted that contract awards amounting to **D1,467,760.00** were awarded to non- GPPA registered suppliers. Awarding contracts to non-registered GPPA registered suppliers constitute a gross a violation of the Public Procurement Act and Regulations.

Below is a list of 2014 non-registered suppliers awarded contracts by UTG.

DATE	PV. NO	AMOUNT (GMD)	PAYEE	DESCRIPTION
27-10-14	004885	8,750.00	Chop shop	food
01-10-14	004728	6,000.00	Marie Senegal	Food & refreshment
08.10.14	004770	37,7000.00	Fildure & Sons	Generator installation
11-10-14	004738	7,000.00	Alieu Jammeh	chairs
16-10-14	004806	5,000.00	Al hawla restaurant	food
02-10-14	004741	3,750.00	Karang Saiku Sillah	chicken
10.10.14	004776	4,000.00	Musa Jasseh	Truck hire
07-10-14	004755	42,500.00	Nuha Marena	rent
23-10-14	004853	50,000.00(monthly)	Settal cleaning services	Cleaning services
27-10-14	004886	25,570.00	Alieu Cham	Sign boards
27.10.14	004895	D60,000	Salmic catering service	Ground decoration
06.02.14	003123	D5,700.00	Labelling of new van	Centage ventures
08.04.14	003610	D15,000	Eye Africa	Streaming for convacation

19.12.14	003257	D30,000	Ousainou S. Loum	House rent
19.02.14	003260	D40,500	Therese Abraham	House rent
19.02.14	003281	D190,850.00	Masters Holding	Lab chemicals
17.04.14	003664	D30,000.00	INK	Printing of brochures
15.04.15	003656	D137,500.00	Mex Ventures	Guard post
28.11.14	005223	D12,000.00	Mansea Beach Hotel	Hotel accomodation
12.11.14	005010	D8,500.00	Jatta'd Divers solution	Toner & drum
13.11.15	005027	D1,500.00	Jallow & Sons Ent.	Satellite installation
13.11.14	005028	D2,000.00	Bakary Nado	Maintenance of motor bike
01.04.14	003565	D30,000.00	Mex ventures	Additional payments
17.11.14	005037	D40,000.00	Centage ventures	paintings
23.11.14	005402	D31,150	Crown restaurant	Food & refreshment
21.08.14	004411	D16,000.00	Al Rawshe L. Restaurant	Dinner
28.02.14	003353	D22,430.00	MSC Mediterranean Shipping	Clearing of 4 containers
17.12.14	005350	D9,360.00	Gate Way	Assorted goods

Further to the above, Regulations 23(2), **Qualifications of bidders** state that: *“In order to enter into a procurement contract, a bidder shall demonstrate, and the procuring organisation shall positively determine, that the bidder qualifies for the award of the procurement contract by having the necessary technical, financial and ethical capacity.*

The Bidder must also met the criteria set on section 23 (3) of the GPPA Act.

During the review of procurement records at UTG presented for audit, it was noted that maintenance/repair services of copier at the Bio-Medic amounting to **D42,000.00** was awarded to a supplier (Sillah Trading Ent.) The business was registered for the supply of goods only. Review of the GPPA list of registered suppliers' shows that there were businesses registered for maintenance/repair services. This Supplier would have met the GPPA registration requirements and thus certified to conduct such services.

Implication:

5. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
6. It is a potential loss of huge revenue to government, in particular the Authority.
7. Disobedience to statutory provisions.

8. May lead to such works/services not meeting the required specifications/standards and thus would further lead to UTG not getting a good value for money in the process as quality work/service cannot be guaranteed.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act.

UTG should ensure that contracts are awarded in line with the GPPA Acts and Regulations which also provides guidance on contracts management to avoid loss of public money.

Alternatively and for special cases, ex-ante approval shall be sought from the Authority before engaging any unregistered supplier/contractor.

You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

Other Related Issues

The audit team were unable to confirm the value of the work done at the Faraba Campus Guard Post and the renovation work at the Mile 7 Residence, but also could not reasonably believe that the said amounts were justifiably spent on such small works contracts.

Should confirm through an expert opinion if the quality of work commensurate the amounts paid for and if not takes necessary action for recovery of overpaid amount.

The monthly cleaning contract awarded to Settal Cleaning Service should be reviewed and subject to fair competition to ensure compliance with laid down procurement procedures.

The UTG management and the Contracts Committee is once again reminded of the provisions of Section 28(1) (A) of the GPPA Act 2001, **Conduct of public officials and bidders** states that: *“the public officer involved in the requisitioning, planning, preparing and conducting procurement proceedings and administering the implementation of procurement contracts shall discharge his/her duties **impartially** so as to ensure a fair competitive access to public procurement by suppliers*

Section 28 (1) (B) of the same Act also states: “*public officer shall always act in the public interest, and in accordance with the objectives and procedures set out in this Act and in the Regulations*”.

During an exit with UTG Officials met, the reviewers highlighted out all the above stated high level of non-compliance and cautioned that action needs to be taken without delay.

The team of reviewers further recommended to the UTG to have in place a Contract Administration and Management Team that would oversee delivery, inspection, inventory & asset recording, issue & use, invoice checking, assessment reports for works done & authorisation for payment of contract entered into after verification.

Lack of a contract administration and management team may lead to payments for contract works that does not meet the standards requested and paid for by the UTG since there may not be the right technical persons to assess and certify that the work done, service provided or goods supplied have met specifications/standards.

CONCLUSION: Using the above compliance related variables and other matters connected therewith and relating thereto for the period under review, **University of The Gambia** was found to be **40 % which denotes NON COMPLIANT** with the Public Procurement Act 2001 and its attendant Regulations and Instructions 2003.

Summary of Compliance Trend

2010	2011	2012	2013	2014
20%	57%	77%	62%	40%

NAME OF ORGANISATION: MANAGEMENT DEVELOPMENT INSTITUTE

Date: 10th March 2015

Compliance Related Issues

During the examination of procurement records that MDI presented for review, the team observed that MDI complied with all the variables set out for the review.

After the examination of all records presented for review, the team had an exit meeting with the Acting Director General and Procurement Manager. We commended them for the efforts put in to comply with the entire variables.

Conclusion: Using the above compliance related variables, The Management Development Institute was found to be **99% compliant** which denotes **Fully Compliant** with the Public Procurement Act, its attendant Regulations and Instructions during the period under review.

Compliance Trend

2012	2013	2014
86%	90%	99%

NAME OF PROCURING ORGANISATION: KANIFING MUNICIPAL COUNCIL

DATE: 10th September, 2015.

Compliance Related Issues

1. Institutional Structures (Contracts Committee & Specialised Procurement Unit)

Section 48 of the Act mandates the establishment of the Contracts Committee and its composition should be in accordance with Section 49 of the Act.

Observation:

It was observed that **Kanifing Municipal Council** has both structures (i.e. **Contracts Committee & Specialised Procurement Unit**) as required by the Act. The team further observed that both the SPU and Contracts Committee are functional as manifested by minutes of meetings and other matters relating thereto.

2. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Observation: **Kanifing Municipal Council** submitted an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

3. Completion and Submission of Monthly Reports:

To ensure effective monitoring and data collection, Section 48 (10) of the Act requires that “a Contracts Committee shall submit, to the Authority for review, monthly reports on all the Local Purchase Orders (LPOs) done by the Contracts Committee” using GPPA Forms 006 and 200.

Observation: During the period under review, it was observed that **Kanifing Municipal Council** regularly and punctually submitted monthly reports to the Authority for scrutiny in accordance with **Section 48(10) and Regulations 119 (3 &4) & 161(1)**.

4. Filling of requisite GPPA Forms:

Regulation 28 dictates that the procurement request is the responsibility of the end user that seeks to submit a requisition for procurement.

Observation

The team of reviewers observed that **KMC** was filling requisite GPPA forms for all its procurement transactions.

5. Thresholds & Procurement Methods

As stipulated in the **Regulations 12, and the Act Part VII Section 45**, methods of procurements are referenced to and determined by the threshold.

Observation

The reviewers observed that **KMC** used the right procedures for its procurement transactions for the period under review, and thresholds were observed as per their corresponding procurement methods.

6. Solicitation Documentation

The solicitation of documents shall not be geared toward a single or cluster of suppliers. Equal opportunities should be given to all deserving suppliers to compete as stated in Section 3 of the Act.

Observations: It was observed that **KMC's** contracts were fairly awarded. In other words, the solicitation documents were not bias towards any supplier, or cluster of suppliers.

7. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for eligibility for public contracts.

Observation: The team of reviewers observed all but two contracts were awarded to suppliers who are duly registered with the Authority.

DATE	PV No	PAYEE	DESCRIPTION	AMOUNT
5-02-14	000055	Sheriff's Trading	laser jet toner	29,000.00
20-02-14	0000125	Abu Amina	canned drinks	18,600.00

Implication:

1. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
2. It is a potential loss of revenue to government, in particular the Authority.

Recommendation:

We recommend that public contracts are awarded to only suppliers who are duly registered with the Authority in order to comply with **Section 24** of the Public Procurement Act. You are also reminded to revert to the GPPA web site to confirm registered suppliers before the award of contracts.

8. Proper filing system and codification:

The procurement law requires procurement transactions be filed and codified as stipulated in the regulations and Instructions respectively.

Observation: The team of reviewers observed that transaction documents are filed according to procurement methods and codified as per the Instruction.

CONCLUSION:

Further to the above, the Authority recommends a more robust control mechanism in the manner in which the Council's fuel is handled, distributed and received for the purpose of accountability and transparency. The Public Procurement Act 2014 calls for the segregation of functions between the Finance and the Procurement units so that fuel is not only purchased but shall be stored by the Specialized Procurement Unit.

After the examination of all records presented for review, the reviewers had an exit meeting with the Officials met as regards our findings. They show readiness to address the concerns expressed by the team of reviewers.

Using the above compliance related variables, for the period under review, **Kanifing Municipal Council (KMC)** was found to be **94% which denotes substantially compliant** with the Public Procurement Act 2001 and its attendant Regulations 2003.

Summary of Compliance Trend

2010	2012	2013	2014
		91%	94%

NAME OF PROCURING ORGANISATION: BASSE AREA COUNCIL (BSAC)

DATE: TUESDAY 27TH October 2015

Compliance Related Issues

During the examination of procurement records of institution presented for audit, we noted that almost all the basic requirements for compliance were met **EXCEPT** the following:

1. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Observation: Basse Area Council (BSAC) had not submitted an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

Implications:

1. There is the risk of unplanned expenditure.
2. Funds appropriated for specific items may not be used as budgeted.
3. The objectives set forth in Section 3 of the Act may be defeated.
4. Value for money may not be achieved if the procurement is not planned.

Recommendation:

Basse Area Council (BSAC) is obliged to comply with this important provision of the Act.

2. Completion and Submission of Monthly Reports:

To ensure effective monitoring and data collection, Section 48 (10) of the Act requires that “a Contracts Committee shall submit, to the Authority for review, monthly reports on all the Local Purchase Orders (LPOs) done by the Contracts Committee” using GPPA Forms 006 and 200.

Observation: During the period under review, it was observed that **Basse Area Council (BSAC)** had not submitted monthly reports to the Authority for scrutiny in accordance with **Section 48(10) and Regulations 119 (3 &4) & 161(1)**.

Implication:

1. 'Misprocurements may go undetected for months.
2. Difficulty for the Authority to establish a trend or status of procurement for timely remedial action.
3. There is difficulty in monitoring and analysing the data on post procurement activities.

Recommendation:

The reviewers recommend that (**BSAC**) should be submitting its monthly reports in line with the provisions set forth in this Act and its attendant Regulations i.e. submission of monthly reports on a monthly basis.

3. Solicitation Documentation

The solicitation of documents shall not be geared toward a single or cluster of suppliers. Equal opportunities should be given to all deserving suppliers to compete- Section 3 of the Act.

Observations: It was observed that **BSAC's** solicitation documents were biased toward the following cluster of suppliers. This practice contravenes Section 3 of the Act. This cluster of suppliers include: Momodou yaffa jallow, Alh. Alieu jallow, Karimatou Tijan shop, Alh. Basiru supermarket etc

Implication

1. Responsiveness cannot be relatively measured and this can lead to wrong award decisions
2. No comparative analysis in award decisions
3. Deserving suppliers are denied the opportunity to compete hence there is bias towards a supplier(s)
4. Value for money may not be realised

Recommendation: It is recommended that all potential suppliers be given equal opportunity to participate and compete in the procurement process. For frequently needed goods and or services, framework agreement with regular

suppliers may be considered. You are to note that this framework contract must be submitted to the Authority for approval before the Procuring Organisation can enter in to any framework agreement with any prospective supplier.

4. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for the eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	PAYEE	DISCRIPTION	AMOUNT
17.1.14	NA	MOMODOU YAFA JALLOW	FUEL	D10,980.00
10.2.14	8	MODOU L. NYANG	GENERATOR REPAIRING	D2600.00
29.1.14	NT	ALH,BASIRIOU SUPER MARKET	15 BAGS OF RICE	D16,200.00
24.3.14	1	SANNA DANJO	CHAIRS FOR CEO	D5000.00
4.3.14	11	DEMBO CAMARA	WHELL BARROW	D2,400.00
15.2.14	15	MOMODOU LAMIN JAGNE	REPAIR OF CUMPUTER	D3,400.00
24.02.14	26	ALH,ALIEU JALLOW	FUEL	D4007.00
14.05.14	10	ALH,ALIEU JALLOW	PLASTIC CHAIRS	D6,500.00
20.02.14	31	BABA K. SAHOR	VIHICLE MAINTENANCE	22,200.00
12.03.14	29	JALIKA CHAM	LABOU COST	D2,900.00
NA	36	ALH,ABDOULIE JALLOW	CUB BOARDS	D2,250.00
10.02.14	43	ALH, ALIEU JALLOW	FUEL	D5,400.00
12.02.14	46	MUSTAFA JALLOW	BATTERY TRACTOR	D3,500.00
10.02.14	53	OMAR JARJUE	STAINLESS SRILL PIMP	D4,000.00
13.2.14	54	MAINTENANCE OF BSAC2	AFHASEN BA	D6,500.00

26.02.14	70	P.PLANINE MOTOBIKE	AGUS MOTORS	2165.00
5.2.14	104	PALM OIL	ABDOU KHADIR KEITA	D3000.00
17.3.14	84	KEBBE JATTA	LABOUR COST	D3,600.00
27.2.14	101	ALH, SAIKOU SANNEH ENT.	FOOD ITEMS	D2,950.00
29.9.14	2	EBRIMA JAWO	REPAIR OF DOOR	D3,500.00
26.2.14	103	R.A.K TRADING	VEHICLE SPARE PART	D4,000.00
17.5.14	36	EDRISA MANGA	REPAIRING OF TAPS	D1,280.00
12.11.14	31	EDRISA JALLOW	PAINTING	D4875.00
5.05.14	70	MULTARA TABANI JALLOW	FOOD ITEMS	D2500.00
22.03.14	223	KARIMATOU T.SHOP	BUILDING MATERIALS	D8,575.00
15.08.14	104	OMAR & BROTHERS TRAING		D6,400.00

Implication:

1. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
2. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

5. Proper filing system and codification:

Observation: Basse Area Council's (BSAC) procurement transaction documents are not filed according to procurements and the recommended numbering sequence has not been applied. The purpose of the numbering system is to ensure that each and every transaction is sequentially and uniquely numbered to provide an audit mechanism to create and maintain files. This number shall be known as the procurement number and shall be assigned at the requisition stage of the procurement. Also, the numbering

system shall be controlled by the SPU and monitored by the contracts committee. The number shall not be reused even if the original procurement is cancelled. The said number shall appear at the top of all GPPA Forms where it is designated “**procurement number**” with the following elements: **procuring organisation/department/fiscal year/sequence number/Tender, RFQ or RFP number or purchase order number**: Examples:

Request for Quotation **BSAC/ADMIN/2014/00028/RFQ; 001**

Single Source **BSAC/ADMIN/2014/00028/SS; 001**

Open Tender **BSAC/ADMIN/2014/00028/OT; 001**

Restricted Tender **BSAC/ADMIN/2014/00028/RT; 001**

Request for Proposal **BSAC/ADMIN/2014/00028/RFP; 001**

Implication:

1. The poor filing system makes the audit exercise cumbersome and time-consuming.
2. There is risk that any missing payment voucher could go undetected and would be difficult to trace for audit and reference purposes.

Recommendation:

In future, **Basse Area Council (BSAC)** should ensure that correct procedure of filing and serial numbering is followed as highlighted above in order to facilitate tracing documents for audit and reference purposes.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with the senior Chief Executive Officer, Finance Director and Finance manager as regards our findings. The need of timely submission of relevant reporting forms to the Authority for analysis, solicitation documentation, submission of Annual procurement Plan awarding of contracts to deserving and registered suppliers, in some transactions fuel bought at D65 per litre and **that all procurement transaction to be conducted by the SPU** among other things were recommended to the management. In the same vein, the Authority has also observed that BSAC has **No** Assets Register in place. It was also recommended to BSAC to enter into framework agreement with suppliers on items that are frequently needed by the Council in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **Basse Area Council (BSAC)** was found to be **%27 which denotes NON COMPLIANT** with the Public Procurement Act 2014 and the Regulations 2003.

NAME OF PROCURING ORGANISATION: KUNTAUR AREA COUNCIL

DATE: MONDAY 23rd November 2015

Compliance Related Issues:

During the examination of procurement records of **Kuntaur Area Council** presented for audit, the reviewer noted that some of the basic requirements for compliance were met except for the following:

1. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Observation: Kuntaur Area Council (KAC) had not submitted an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

Implications:

5. There is the risk of unplanned expenditure.
6. Funds appropriated for specific items may not be used as budgeted.
7. The objectives set forth in Section 3 of the Act may be defeated.
8. Value for money may not be achieved if the procurement is not planned.

Recommendation:

Kuntaur Area Council (KAC) is obliged to comply with this important provision of the Act.

2. Filling of requisite GPPA Forms:

Observation: Kuntaur Area Council (KAC) was not fully compliant with this variable. The Organisation had not completed Reporting Forms such as 004 - Record of Request for Quotations, 040 - for Payment Authorisation, 041 - Record of Supplier Performance Assessment, 012 - Certification made by members of the Contracts Committee, 201 - Annual reports of Single Source procurements for the year under review, but with particular reference to procurement

transactions not conducted by the procurement officer. These that were conducted by the procurement officer had the requisite forms attached

Implication

1. Adherence to GPPA procedures cannot be assured
2. Persons can easily 'pull-head' when misprocurement is detected
3. Tracking past procurements is hard
4. The principle of team work is discouraged

Recommendation: Kuntaur Area Council (KAC) should ensure that all procurement transactions are reported using the requisite GPPA Forms. For example, GPPA Reporting Forms highlighted above should be completed as per procurement methods to ensure all required documentations are filed accordingly.

3. Thresholds & Procurement Methods

As stipulated in the **Regulations 12, and the Act Part VII Section 45**, methods of procurements are referenced to and determined by the threshold.

Observation

The reviewers observed that **Kuntaur Area Council (KAC)** had not adhered to stipulated procurement methods as per the corresponding thresholds. In addition, the procedures were not approved by the Contracts Committee as per the records presented for review since OBHR had no Contracts Committee in place.

DATE	P V NO	SUPPLIERS	DESCRIPTION	AMOUNT
20/01/14	NA	Drammeh Shop	Batteries Solite	D22, 000
10/9/14	Pv164	Ma Ali Jahateh	Refreshment	D10, 800
14/4/14	Pv177	Saikou Samba	Maintenance of Vehicle	D10, 250
29/10/14	Pv165	Kebba Jatta	Spare Part	D19,200
08/9/14	Pv207	Ebrima Konateh	Maintenance of Bush Town Waiting Shell	D18, 275
11/9/14	Pv193	Momodou Jallow	Maintenance of Lamin Koto Waiting Shell	D23, 125
25/6/14	Pv160	Baobolong Estate	Accommodation	D30, 000
06/5/14	Pv175	Kebba Jatta	Maintenance of Vehicle KAC2	D12, 300
26/01/14	Pv 163	Drammeh Shop	Solar Batteries	D22, 500
07/02/14	Pv125	Kebba Jatta	Motor Spare Part	D73, 500
16/6/14	Pv396	Gurunnak	Floor Tiles	D13, 750

		Enterprise		
07/8/14	Pv126	Zidan Karan	Spare Part	D22, 200
29/6/14	Pv334	Bah Enterprise	Materials (tesito)	D11, 725
24/01/14	Pv164	Modou Nyang	Cost of Labour & Materials	D40, 000
23/6/14	Pv122	Moro Dampha & Brother's Catering Services	Catering Services	D60, 750

Implication:

1. There is risk that value for money was not obtained during the procurement process.
2. Can lead to wrong procurement awarded decisions
3. Possible price fixing by the "handpicked" Suppliers
4. Potential conflict of interest.
5. Equal opportunities are not provided to other eligible and registered suppliers as there is potential bias in the solicitation process.
6. Transparency could be compromised when the GPPA Act and the regulations are violated leading to an increased risk of fraud and corruption.
7. A fair opportunity to prospective suppliers is not ensured.

Recommendation:

Kuntaur Area Council (KAC) is therefore advised to ensure compliance with the stipulated procurement method and its attendant thresholds as dictated by the Public Procurement Laws.

4. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for the eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below some of the transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	SUPPLIERS	DESCRIPTION	AMOUNT
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20/1/14	Pv158	Sheriffo Sankare	stationary	D1, 025
23/1/14	Pv159	Omar Bah Ent	Building Material	D2, 300
8/2/14	Pv196	Drammeh Kunda Shop	Battery Wheel Barrow	D2, 500
14/2/14	Pv304	Malick Secka	Wheel Barrow	D2, 000
12/2/14	Pv332	Drammeh Bro & Son Ent	8 bags of Cement	D2, 080
25/6/14	Pv160	Baobolong Estate	Accommodation	D30, 000
28/1/14	PV391	Malick Secka	20 bags of Cement	D6, 000
16/2/14	Pv394	Malick Secka	10 bags of Cement	D3, 000
31/4/14	Pv413	Drammeh Bro Son	5 bags of Cement	D1, 375
26/2/14	Pv422	Global Printing Stationary	shop	D2, 500
12/2/14	Pv88	Jolof Jolof Shop	Binding Material	D2, 250
17/4/14	Pv226	Alhagie Modou Njie	Spare Part	D2, 166
28/4/14	Pv318	Farafenni Mini Market	Cartridge	D4, 200
29/10/14	Pv165	Kebba Jatta	Spare Part	D19,200
24/11/14	Pv242	Mamud ceesay	Spare part	D1, 200
08/10/14	Pv263	Bala Musa Cham	Cartridge	D3, , 500
14/4/14	Pv177	Saikou Samba	Rehabilitation	D10, 250
05/5/14	Pv148	R. A Company ltd	Printing and pens	D10, 000
10/9/14	Pv164	Ma Ali Jahateh	Refreshment	D10, 800

Implication:

9. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
10. It is a potential loss of revenue to government, in particular the Authority.

Recommendation

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with all the official met as regards our findings. The need filled GPPA Forms, adherence to the stipulated thresholds, awarding of contracts to deserving and registered suppliers among other things were recommended to

the management. It was also recommended to Kuntaur Area Council to enter into framework agreement with suppliers on items that are frequently needed by the Council (eg fuel) in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **Kuntaur Area Council (KAC)** was found to be **57% which denotes FAIRLY COMPLIANT** with the Public Procurement Act 2001 and the Regulations 2003.

NAME OF PROCURING ORGANISATION: KEREWAN AREA COUNCIL

DATE: MONDAY AND TUESDAY: 16th and 17th NOVEMBER 2015

Compliance Related Issues:

During the examination of procurement records of **Kerewan Area Council** presented for audit, the reviewer noted that some of the basic requirements for compliance were met except for the following:

1. Submission of Procurement Plan:

Section 30 of the Act dictates that “a procuring organisation shall engage in procurement planning, with a view to achieving maximum value for money in public expenditure and the other objectives set out in Section 3, and in accordance with the applicable budgetary procedures”.

Observation: Kerewan Area Council (KAC) had not submitted an Annual Procurement Plan for the period under review as stipulated in Section 30 of the Act.

Implications:

9. There is the risk of unplanned expenditure.
10. Funds appropriated for specific items may not be used as budgeted.
11. The objectives set forth in Section 3 of the Act may be defeated.
12. Value for money may not be achieved if the procurement is not planned.

Recommendation:

Kerewan Area Council is obliged to comply with this important provision of the Act.

2. Completion and Submission of Monthly Reports:

To ensure effective monitoring and data collection, Section 48 (10) of the Act requires that “a Contracts Committee shall submit, to the Authority for review, monthly reports on all the Local Purchase Orders (LPOs) done by the Contracts Committee” using GPPA Forms 006 and 200.

Observation: During the period under review, it was observed that **Kerewan Area Council (KAC)** had not submitted monthly reports to the Authority for scrutiny in accordance with **Section 48(10) and the Regulations 119 (3 &4) & 161(1)**.

Implication:

4. 'Misprocurements may go undetected for months.
5. Difficulty for the Authority to establish a trend or status of procurement for timely remedial action.
6. There is difficulty in monitoring and analysing the data on post procurement activities.

Recommendation:

The recommendation is that **Kerewan Area Council** should be submitting its monthly reports in line with the provisions set forth in this Act and its attendant Regulations i.e. submission of monthly reports on a monthly basis.

3. Filling of requisite GPPA Forms:

Observation: Kerewan Area Council (KAC) was not fully compliant with this variable. The Organisation had not completed Reporting Forms such as 100 - National Requisition Form and 004 - Record of Request for Quotations, 040 - for Payment Authorisation, 041 - Record of Supplier Performance Assessment and 101 -Request for Quotations, 003 - Record of Single Source Procuremens, 012 - Certification made by members of the Contracts Committee, 201 - Annual report of Single Source procurements for the year under review.

Implication

5. Adherence to GPPA procedures cannot be assured
6. Persons can easily 'pull-head' when misprocurement is detected
7. Tracking past procurements is hard
8. The principle of team work is discouraged

Recommendation: Kerewan Area Council should ensure that all procurement transactions are reported using the requisite GPPA Forms. For example, GPPA Reporting Forms highlighted above should be completed as per procurement methods to ensure all required documentations are filed accordingly.

4. Registered and deserving suppliers:

As stipulated in **Section 25 of the Act**, local suppliers shall be registered with the Authority as a prerequisite for eligibility for public contracts.

Observation: Having gone through records presented for auditing, it was discovered that some contracts were awarded to suppliers who did not renew their registration status with the Authority at the time of award (see below some

of the transactions awarded to suppliers who did not renew their GPPA registration status):

DATE	PV NO	SUPPLIERS	DESCRIPTION	AMOUNT
01/7/14	pv20	General Mech. Electrical	spare parts	D4, 130
01/1/14	pv27	Haruna Hydera business	A4 Size Papers	D5, 500
05/1/14	pv33	Amadou Bah	Food items	D5, 285
30/1/14	pv42	Abdoulaye Fouda Baldeh	spare part	D4, 450
30/1/14	pv44	General Material Electrical		D2, 475
18/1/14	pv73	Halabaid	Cooking items	D3, 020
18/1/14	pv85	Touba Daniminal Jam type	Spare Part	D2, 500
18/1/14	pv14	Bourgi	Spare Part	D6, 500
01/1/14	pv134	Faraffnni Mini Market		D1, 000
19/1/14	pv142	Kebba Marong & son	Accommodation	D8, 000
01/1/14	Pv226	Murphy Justic Fidelie	Maintenance of office Equipment	D5, 000
07/2/14	Pv12	Abdoulie Fula Balde	Spare Part	D2, 100
05/3/14	Pv66	Chaku Bantang Lodge	Accomcdation	D6, 000
01/3/14	Pv97	Amadou Bah	A4 Size Paper	D8, 250
01/12/14	Pv43	Barakat Trading	Dynamo & Cylinder for Tractor	D5, 500
26/4/14	Pv49	Modou Secka Enterprise	Repairs and tractor tyres	D10, 000
08/9/14	Pv115	Kawsu Kinteh	Bore hole	D20, 000
31/7/14	Pv512	Farafenni Mini Market	Sugar	D7, 000
19/9/14	Pv118	M & S Enterprise	Tiles	D25, 500
31/5/14	Pv42	Barra Motel	Accomodation	D8, 400
331/3/14	PV136	Mansour Secka Enterprise	Spare Part	D8. 100
03/5/14	PV16	Dabosoft ICT Solution	1GB of Computer Ram	D2, 200

Implication:

11. Non-registration with the Authority is interpreted as a probable failure to pay tax since GRA Tax Clearance is a prerequisite for GPPA registration.
12. It is a potential loss of revenue to government, in particular the Authority.

Recommendation:

We recommend that public contracts are awarded to only suppliers who are duly registered with the GPPA in order to comply with **Section 25** of the Public Procurement Act. You are also reminded to revert to the GPPA web site (www.gppa.gm) for further verification of GPPA registered suppliers.

Other Related Issues

After the examination of all records presented for review, the reviewers had an exit meeting with the CEO and Financial Controller as regards our findings. The need, for submission of monthly reports to the Authority for analysis, filling of GPPA forms for every transaction, adherence to the stipulated thresholds, awarding of contracts to deserving and registered suppliers among other things were recommended to the management. In the same vein, the Council is advised to prepare and file a fixed assets register for reference purpose. It was also recommended to Council to enter into framework agreement with suppliers of items that are frequently needed by the Council in order to address emergency situations.

CONCLUSION: Using the above compliance related variables, for the period under review, **Kerewan Area Council (KAC)** was found to be **53% which denotes FAIRLY COMPLIANT** with the Public Procurement Act 2001 and the Regulations 2003.