

Break out Session : Procurement Controls and Oversight Functions and Complaints

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	GOOD PRACTICE CASE STUDIES	KEY MESSAGES/ISSUES/CHALLENGES	COMMENTS, OBSERVATIONS, RECOMMENDATIONS (INCLUDING ON METHODOLOGY)
<i>Sierra Leone</i>	<ul style="list-style-type: none"> Independent Review Panel of 3 persons appointed by Minister of Finance that meet when there are matters to handle 	<ul style="list-style-type: none"> Grievances are 1st made known to the head of entity. 14 days moratorium to raise complaints before the award of a contract. 	<ul style="list-style-type: none"> Encourage the verbal complaints to be formalized i.e. putting it in writing.
	<ul style="list-style-type: none"> Procurement complaints is legislated in detail. 	<ul style="list-style-type: none"> If no adequate response with 10 days panel does not make acceptable decisions, the resource to appeal to the Independent Panel, after which a recourse to the judiciary. If no acceptable settlements by independent panel. 	<ul style="list-style-type: none"> How do we deal with political interference in the complaints mechanism.
	<ul style="list-style-type: none"> Publication of the Procurement Process and award 	<ul style="list-style-type: none"> A fee is chargeable to complainants to discourage frivolous accusations up to \$600 being (2% of applicant's bid price). 	<ul style="list-style-type: none"> How do we deal with the fear of victimisation from the complainants?
		<ul style="list-style-type: none"> What Resource is available after the awards have been signed? 	<ul style="list-style-type: none"> There is a gap in resource when the procurement officer is the adjudicator because the procuring agency can sign the contract without having satisfied the appellant / complainants.
<i>Malawi</i>	<ul style="list-style-type: none"> Malawi requires a copy of the complaints to be lodged with the oversight body. The public is encouraged to use the regulatory body's website in addition to writing formally. 	<ul style="list-style-type: none"> The receipt of the complaints fees may be uneflucal if paid to the oversight agency. Who may be unduly advantaged because they get revenue from wrong-doing. 	<ul style="list-style-type: none"> NB: Complaints mechanism when not managed properly may constitute a bottleneck in the procurement process.

<i>Botswana</i>	<ul style="list-style-type: none"> ▪ based on unital review mechanism to prevent or minimise complaints by holding pre-bid meetings and post tender award meetings. 	<ul style="list-style-type: none"> ▪ Difficulty in conducting performance audits due to insufficient or lack of data. 	<ul style="list-style-type: none"> ▪ The dissemination of the complaints mechanism information to the business community must be enhanced; i.e. suppliers workshop, contractions and stakeholders forum.

