

**3rd Africa Region Education Capacity Development Workshop
Country Leadership and Implementation for Results in the EFA-FTI Partnership**

Mauritius, Dec 1-5, 2008

***Thematic Clinic for Country Teams:
Note on Procurement Issues***

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1. Context

The aim of the 3rd Africa Region Education Capacity Development Workshop “Country Leadership and Implementation for Results in the EFA-FTI Partnership” was to provide the participating countries with the opportunity to discuss with a group of experts, concrete difficulties and constraints, associated to the implementation of education sector plans within the FTI framework.

The workshop was embedded in a hands-on approach, with country teams working directly with the experts on issues related to plan implementation, specific issues identified during preparatory work and other issues that came up during the exchange between the delegations. Time was also spent on learning from each others experiences and knowledge, as well as from those of the host country, Mauritius.

Participating countries were: Benin, Guinea, Lesotho, Madagascar, Mali, Rwanda and Sierra Leone.

2. Aim of the session

To clarify, discuss, and analyze concrete issues, problems, constraints, and difficulties associated to procurement and fiduciary safeguards and pertaining to the implementation of the participating countries’ education sector plans; and to provide recommendations and suggestions on how to move forward successful plan implementation within the EFA-FTI.

3. Format and Methodology

Unlike other workshops, this one had a very practical approach. Most of the workshop time was allocated to discuss country specific thematic clinics. Procurement issues were discussed during a two-hour clinic style session for each of the participating countries.

Recommendation:

It seems that all delegations have appreciated this format of the workshop because it has allowed them to discuss specific country issues. However, if this format is going to be used in the future, it is recommended to allocate more than two hours. Two sessions of two hours each for instance would be more appropriate and would allow more time to discuss in details their particular issues and concerns.

4. Working Languages

English and French.

5. Main Generic Procurement Issues

Below are the generic procurement issues that came out during the thematic clinics.

A) Planning of Procurement Activities

- In many instances, the procurement plan:
 - Is not available.
 - Needs to be updated.
 - Is not used as a powerful management tools.
 - Is put aside once approved.

B) Inconsistencies between the MOU and the Grant Agreement

- The MOU is perceived as a binding document that has precedence over the Grant and bilateral Agreements.
- There are inconsistencies between the MOU and the Grant Agreement regarding procurement procedures to follow.
- It is not always clear that the Grant Agreement is binding.

C) Better Bid Evaluation Process

- Various problems and delays arise during the bid evaluation process because:
 - Evaluation criteria are not clearly defined in the Bidding Document and/or the Request for Proposals.
 - They are not adapted to the local capacity of local contractors/suppliers when NCB is used (ex. classrooms construction).
 - This is a specific area where there is room for improvement.

D) Building Procurement Capacity

- In almost every country, there is a need to build procurement capacity. This is an important and recurrent issue.
- This is particularly obvious at the local level since many activities will be decentralized especially the school construction program.

E) Use of Country System versus Bank Procedures

- Some countries have just realized that the switch to the country system (when applicable) could pose a problem/risk and generate delays in the procurement process because:
 - National prior review thresholds are very low. It means that almost all contracts will be subject to prior review by local authorities.
 - Bank's procedures are generally more flexible than those followed by the country. This is especially obvious for the selection of individual consultants.
 - Prior review procedures by the National Tender Board are sometimes cumbersome.

- Therefore, some implementing agencies are wondering - depending of the context or the dossier at hand – if they can follow the Bank procedures instead of the national regulations if this is more advantageous.

F) Construction of classrooms

- The strategy to be used must be clearly upfront and detailed in the Manual of procedures (this was discussed in another thematic clinic).
- The issue of how to use NGOs and UN Agencies as contract managers (selection method and type of contract) was used in many clinics.

G) Procurement of textbooks

- This is also a recurrent and difficult issue that Procurement Specialists have to deal with. It requires a specific knowledge that is not always available at the Ministry of Education.
- In many instances, the strategy is not always well-defined.
- The capacity of the Ministry of Education to negotiate the copyrights with the publishers and get a good deal is limited.

6. Specific Procurement Issues and questions discussed during the Thematic Clinics

Country	Procurement Issues
Benin	<ul style="list-style-type: none"> • Procurement of text books, the issue of copyrights and reprinting. • Procurement procedures in a context of budget support. • Procurement arrangements outlined in the MOU (pooled fund). • Since they are many institutions involved in education, what is the best practice regarding the grouping of contracts. • How to minimize the delay to get the no-objection from the World Bank. • Procurement Plan needs to be updated. • Prior review thresholds of the country system are very low compared to WB thresholds.
Guinea	<ul style="list-style-type: none"> • Strategy to establish the right set of evaluation criteria for the construction of classrooms. • How to determine the best size of lots in construction in order to foster competition. • Strategy to procure textbooks. Should the distribution to the schools be included in the contract of the publisher? • The use of specialized NGOs and the selection method of these NGOs. • Many local contractors cannot get performance bond from their commercial bank thus reducing the competition.
Lesotho	<ul style="list-style-type: none"> • Is outsourcing the procurement function a good short-term solution to sustain implementation and disbursement? • How to built procurement capacity at all levels. • In a transition phase from project support to a sector-wide approach with pooled-funding, how can the World Bank procurement procedures be applied concurrently with those of other donors with minimum antagonism? • How to open competition in the very specific context of textbooks procurement in Lesotho.
Madagascar	<ul style="list-style-type: none"> • Construction program and the approval of the Manual of procedures. • Use of UN Agencies (UNICEF, PAM). • Procurement of textbooks: strategy, procurement methods and the participation of local printers. • Capacity Building in procurement at the central and decentralized level. • Preparation and approval of the procurement plan. • How to work in a de-concentrated structure with Ministry of Finance and Ministry of Education and the lack of institutional capacity? • Prior review thresholds of the country system are very low compared to WB thresholds.
Mali	<ul style="list-style-type: none"> • The importance of the Procurement Plan. • What is the impact on procurement in a decentralized construction program?

Country	Procurement Issues
	<ul style="list-style-type: none"> • How to reduce long delays in the procurement cycle? • How to improve quality in the evaluation process? • How to make sure the short list are made only of qualified consultants? • How to implement and improve governance and anti-corruption measures in the procurement process?
Rwanda	<ul style="list-style-type: none"> • Rwanda uses its own procurement procedures (country system) in the context of a sectoral budget support. • Apparently, procurement activities are done swiftly and smoothly. • It was suggested conducting an Independent post procurement review at the end of the first phase in order to get an appreciation based on facts. • The issue of procurement, distribution and management of textbooks is particularly crucial and often problematic. • School construction is one of the biggest items of expenditures on Rwanda education budget. How to improve the quality of buildings and shorten the construction delays.
Sierra Leone	<ul style="list-style-type: none"> • The on-going work towards the preparation of a MoU. • Lack of procurement capacity at all levels of the management chain. • How to strengthen the management chain? • Need to train very quickly procurement specialists and local authorities at the Council level. • Procurement Plan needs to be updated. • Necessity to appoint a Procurement Specialist to the EFA/FTI operation.

Luc Lapointe, December 7, 2008

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