



# Republic of Liberia



## ANNUAL REPORT

for Calendar Year 2021

PUBLIC PROCUREMENT & CONCESSIONS  
COMMISSION  
(PPCC)

Executive Mansion Grounds Capitol Hill, Monrovia, Liberia

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**"ENSURING ECONOMIC & EFFICIENT USE OF PUBLIC FUNDS"**

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Republic of Liberia  
**Public Procurement & Concessions Commission**  
Executive Mansion Grounds  
Capitol Hill, Monrovia, Liberia



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Website: [www.ppcc.gov.lr](http://www.ppcc.gov.lr)

Tel. #0770-355-892

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December 31, 2021

The Honorable Members of the National Legislature

Capitol Building

Monrovia, Liberia

Honorable.

The Chairperson, Board of Commissioners along with the Secretariat present its compliments.

The Commission, in line with the PPCA Section 5(h), is herewith submitting the Annual Report of the Public Procurement Concession Commission (PPCC) highlighting achievements and challenges covering the period January 1 through December 31, 2021. The Amended and Restated Public Procurement and Concessions Act of 2010 gives the Commission oversight responsibilities for public procurement and concessions in Liberia.

Honorable, the Act also ensures that the economic and efficient use of public funds in the procurement of goods, works and services as well as the granting of concessions is followed through a process that is competitive, transparent, and non-discriminatory.

Honorable Ladies and Gentlemen, the Commission would like to thank you for your support to the work of the Commission, which has enabled us to make progress in the implementation of the procurement and concessions reform program of the Government. The Commission looks forward to your continued support and a harmonious working relationship during the years ahead.

With sentiments of our highest consideration and esteem.

Respectfully yours,

Bodger Scott Johnson  
**ACTING CHAIRPERSON**

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Regulating and Monitoring Compliance with the Public Procurement And Concession Act of Liberia

## **ACRONYMNS**

PE	Procuring Entity
CARP	Complaints, Appeals & Review Panel
NCB	National Competitive Bidding
PPCA	Public Procurement & Concessions Act
PPCC	Public Procurement & Concessions Commission
WB	World Bank
UNDP	United Nations Development Program
CQS	Selection Based on Consultant Qualification
RFQ	Request for Quotations
FY	Fiscal Year
IFB	Invitation for Bid
EOI	Expression of Interest
IFMIS	Integrated Financial Management Information System (IFMIS)
VR	Vendors Register
AfDB	African Development Bank



## 1.0 EXECUTIVE SUMMARY

### *The PPCC Profile*

The Public Procurement & Concessions Commission (PPCC) was established in 2006 to oversee all public procurement and concessions processes in accordance with the PPCA 2005 as amended and restated in 2010. The PPCC monitors compliance of all procuring entities with the governing procurement laws, which are stipulated in the Public Procurement and Concession Act of Liberia. The Act regulates all forms of public procurement and Concessions, establishes the Public Procurement and Concessions Commission, provides for institutional structures for public procurement and concessions, and stipulates methods and procedures for public procurement and concessions and for purposes related thereto (PPCA Section 4 and 5).

**The importance of adherence to procurement laws is fundamental to any positive reform process in Liberia, as procuring and concession granting entities meeting up with their obligations to comply with stipulated laws will yield many benefits that are essential to national development.**

This report sums up the activities of the Public Procurement and Concession Commission for the Year 2021.

### ACHIEVEMENTS 2021

**1. Compliance Monitoring Visitations to Procuring and Concession granting entities.** This activity is geared at ensuring public procurement entities are abiding by the governing procurement and concessions law. The PPCC under the leadership commenced this activity, annual monitoring visits to procuring entities and is expected to be done annually.

**2. Mobile Training for Procurement Practitioners and Procurement Committees- “Taking Training to your doorsteps”**

There are being numerous activities directed at ensuring that public officials, heads of entities and procurement practitioners conduct procurement activities with adherence to procurement procedures. The PPCC recently commenced an innovative form of training for Procurement Committees and practitioners in procuring entities. The PPCC takes the training at each procuring entity, meeting with the Procurement Committee and Head of entity, to discuss rudimentary procurement and concessions processes and the cardinal importance of ensuring compliance.

**3. Robust engagement with Private Sector, Civil Society and the Media to convey awareness and the importance of procurement laws compliance.**

Strong Media and Civil Society Engagement by the PPCC, directed at creating awareness on the operations of the PPCC and the procurement laws, and contributory roles of the media and civil society, that would foster national compliance for national development.

The Private Sector also were trained on the bidding processes and other procedures that will create access and participation in bidding processes for transparency and accountability. The pursuit of these tenets will eventually lead to reduction in waste and abuse of limited public resources and ultimately ensure that the Government of Liberia, public officers, and private sector players are in adherence to the objections of the Public Procurement & Concessions Act of Liberia. Engagements of such, were held in Monrovia and Margibi Counties.

**4. Enforcing the Law: Full Disclosure of Contract Awards by Procuring and Concession Granting Entities.**

Enforcing full disclosure and submission of final signed documents, for subsequent upload on the PPCC's website for the consumption of the public as well as relevant stakeholders, is important for transparency and accountability. The PPCC has instituted a mandatory requirement of accountability for all procuring entities submit contracts awards reports of past a Fiscal Year on their procurement activities prior before any approval of all activities planned for an upcoming. This obligation, previously overlooked by most procuring entities, is now being obeyed by past non-compliant entities and such proof is manifested on the contracts' awards information on the PPCC's website. The same will continue for the new calendar year 2022. All uploads are currently visible on the Commission's website: [www.ppcc.lr](http://www.ppcc.lr) for the public consumption.

#### **5. E-Procurement Establishment Activities Implementation**

The Commission is currently conducting initial activities for the rollout of eProcurement in Liberia with financial assistance from the World Bank and African Development Bank and support from the GOL. E-Procurement, in this context, is the migration of manual procurement and concessions processes to digital process, which when established will bring more openness, efficiency and accountability to public procurement in Liberia, thus, engendering improved public perception towards public procurement activities. A Comprehensive E-procurement Training was done in Dubai, UAE as preparations for E-procurement implementation.

#### **6. Enforcing the Law: Ensuring Proper Review of Contract Awards Request from Procuring Entities**

The PPCC is carrying on robust scrutiny and leaves no stone unturned when reviewing executed procurement procedures and recommended contract awards sent by procuring entities. The hall mark of the review is abidance by the pre-determined criteria set by entities, authentication of bidding procedures, etc. Procuring Entities that go contrary to their own pre-determined criteria and the procurement procedures are duly cautioned. This is presently a strong trait of the PPCC, **to ensure national compliance for national development**

**7. Gender in Public Procurement** -Increasing Equality and Access in Public Procurement – Ensuing the parity and quality relating to participation of women owned business in public procurement processes. There is a gender responsive survey is ongoing in the various counties, including Montserrado, Bomi, Lofa, Grand Bassa, Nimba, Zwedru to gather information and data. Subsequently the engagements with stakeholders. The PPCC is also collaborating with the UN Women on this activity.

#### **8. Upcoming Review for the Amendment of the 2010 Public Procurement and Concessions Act:**

Preliminary preparations are ongoing to commence the review of the Public Procurement Concession act 2010. This is progressive approach to strengthen the procurement and concessions laws that will overall improve compliance. The consideration of the existing challenges that are preventing compliance, and what strengthened procedure can be inculcated to meet up to the objectives of Transparency, Accountability, and foremost Value for Money Principles. The kick-off to the Amendment process commenced with the holding of Public Procurement and Concessions Annual Forum on December 1-3, 2021.

#### **9. Procurement Practitioners Database**

The Commission is in the process of establishing a Public Procurement Practitioner Database, a database for individuals in the public procurement profession in Liberia. This is intended to assess the impact of the diverse public procurement trainings, create avenue for knowledge sharing amongst public procurement practitioners and improve professionalization of public procurement in Liberia.

## **10. Due Diligence Visitations of Vendors on PPCC Vendor Register**

Other activities undertaken include the recent visitations and survey of the Liberia Market (mainly Monrovia and its environs) by the PPCC; this is intended to update the Commission Online Vendor Registrar: [www.ppcc.gov.lr/vr](http://www.ppcc.gov.lr/vr) a portal that hosts information on registered businesses operating in Liberia, eligible to do business with Government entities and those eligible to benefit from the Small Business Empowerment Act.

### **Holding of 3<sup>rd</sup> Annual Procurement Forum**

Under the supervision of the Chief Executive Officer, the PPCC held its 3<sup>rd</sup> Annual Public Procurement Forum to engage stakeholders on the implementation of the Act. This obligation brought together stakeholders from the public and private sectors, civil society organizations, the business, and media communities to review and discuss some of the key challenges and constraints faced in the implementation of the PPCA and design innovative ways that will open new avenues for greater digitization in public procurement functions.

The Forum was held in the Theater and the Ballroom of the Ministerial Complex on the 1<sup>st</sup> and 2<sup>nd</sup> of December and climaxed with a parade from Broad Street to the Monrovia City Hall on December 3, 2021. His Excellency, George Manneh Weah, President of Liberia, along with the Speaker of the House of Representatives, Pro Tempore of the Liberian Senate, and representatives of international development partners (World Bank, IMF, AfDB), attended the Forum.

### **Challenges**

It is noteworthy to state that there has been buttressing support from partners for selected activities, however, on the overall; the Commission is faced with hitches in implementing key mandates of the institution that will generate proactive reform in the public procurement and concession sectors. In reference, the Commission highlights the following challenges:

- **Slow paced and unwillingness** of some public procurement and concession granting entities to comply with the processes and procedures of the PPCA;
- Inadequate budget to fully execute all the mandate areas of the Commission;
- Insufficient staff to fully execute all the mandate areas of the Commission;
- Inadequate office space and equipment/working tools such as laptop/computers, furniture, vehicles, and other logistics to enable the Commission fully to perform its statutory mandates.

### **Recommendations**

The Commission notes that, if the below issues are given serious consideration, remarkable progress can be achieved in the implementation of the Public Procurement & Concessions Act and enormous improvement of Liberia's Public Procurement System of Liberia:

- 1. That the Commission be provided continuous required financial support to facilitate the execution of its monitoring and review mandate of public entities and subsidized institutions;**
- 2. Expansion or relocation of the Commission to accommodate existing staff, other units relevant to the functions of the Commission and create training space;**
- 3. A strong caveat to procuring and concession granting entities on the primary importance of complying with the governing procurement and concession laws of Liberia. This will strongly emphasize and showcase more the political will of the GOL and entities will note the strong message sent out.**



The Commission is exerting every effort and is tapping every available resource to ensure that its mandate is achieved in an effective and efficient manner and is working assiduously to attain remarkable strides in implementing the PPCC Act for national development.

The compliance levels of Procuring Entities and concession granting entities to provisions of the PPC Act are gradually improving given the PPCC vigorous activities executed to convey the importance of abiding with procedures and processes.

**The Commission is convinced that with continued and full support from the GOL, the Compliance Monitoring activities of all procuring and concession granting entities will go a long way in raising the compliance level bars for Liberia.** The Commission states that the Government of Liberia should resonantly emphasize to all procuring and concession granting entities, that abidance of the national procurement and concession laws, be a priority in the acquisition of goods, works and services for the State.

The Commission is of the ardent conviction that national projects can be achieved in compliance with the public procurement laws of the State, ultimately to positively impact Liberia's National development. This is since maximizing economy and efficiency in procurement, and obtaining best value for public expenditures, promoting economic development of the country; promoting integrity, accountability and public confidence in public procurement and concession processes are all attributes that ultimately contribute immensely to Liberia's National development.

## ***2.0 INTRODUCTION***

The Public Procurement and Concessions Act (PPCA) of 2005 as amended and restated in 2010 established the Public Procurement and Concessions Commission (PPCC) in 2006, to among other things, ensure compliance with the provisions of the Act to whom all it applies. The Commission has the core objective to that public procurement and concessions activities are done in a fair, transparent, competitive, and non-discriminatory manner. In compliance with Section 20 (2) and (3) of the PPCA, which states "The Commission shall, not later than the end of each calendar year, publish and submit to the Legislature and the President, a report including:

- ❖ The Commission's activities and operations for such fiscal year;
- ❖ A copy of the Commission's audited accounts;
- ❖ A report on the complaints, appeals and administrative reviews for the fiscal year and their outcome;
- ❖ Recommendations for improvement of procurement of specific areas of goods, works, services, disposals and the Concessions process and the planned program for the implementation of the recommendations;
- ❖ Report on the annual procurement forum held by virtue of Section 5(i) in the previous fiscal year;
- ❖ Any general or specific recommendations for improvement of the work of the Commission; and
- ❖ Without limiting the generality of subsections (1) and (2) of this Section, the Commission at the request of the Legislature shall provide periodic reports to the Legislature on the activities and operations of the Commission for the period so requested; this report provides an account of the Commission's activities for the year 2020. In what follows is the detailed report that provides a full coverage of all the major activities implemented by the different divisions and units of the Commission.

## ***3.0 DETAILED REPORT***

### ***3.1 OFFICE OF THE EXECUTIVE DIRECTOR***

Atty. Jargbe Roseline Nagbe Kowo serves as Chief Executive Officer and administers the day-to-day functions of the Commission in close coordination with:

- ❖ Director of Policy, Standards & Procedures;
- ❖ Director of Training & Capacity Building;
- ❖ Director of Compliance & Monitoring;
- ❖ Director of Information Dissemination & Communications;
- ❖ Director of Complaints, Appeals & Reviews; and
- ❖ Director of Finance & Administration.

The Office of the Chief Executive Officer is staffed with four staff; namely: Chief of Office Staff, and three assistants.

During the year 2021, the Office of the Chief Executive Officer implemented the following activities, alongside other operational activities as per the mandates of the Secretariat:

### **E-Procurement Establishment Activities Implementation**

The Commission is currently conducting initial activities for the rollout of eProcurement in Liberia with financial assistance from the World Bank and African Development Bank and support from the GOL. E-Procurement, in this context, is the migration of manual procurement and concessions processes to digital process, which when established will bring more openness, efficiency and accountability to public procurement in Liberia, thus, engendering improved public perception towards public procurement activities. A Comprehensive E-procurement Training was done in Dubai, UAE as preparations for E-procurement implementation.

**Gender in Public Procurement** -Increasing Equality and Access in Public Procurement – Ensuing the parity and quality relating to participation of women owned business in public procurement processes. There is a gender responsive survey is ongoing in the various counties, including Montserrado, Bomi, Lofa, Grand Bassa, Nimba, Zwedru to gather information and data. Subsequently the engagements with stakeholders. The PPCC is also collaborating with the UN Women on this activity.

### **Upcoming Review for the Amendment of the 2010 Public Procurement and Concessions Act:**

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### **Procurement Practitioners Database**

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National Procurement Forum was aimed at identifying implementation challenges and shortcomings of PPC Act of 2010 and design innovative ways that will open new avenues for greater digitization in public procurement functions.

The Forum was held in the Theater and the Ballroom of the Ministerial Complex on the 1<sup>st</sup> and 2<sup>nd</sup> of December and climaxed with a parade from Broad Street to the Monrovia City Hall on December 3, 2021. His Excellency, George Manneh Weah, President of Liberia, along with the Speaker of the House of Representatives, Pro Tempore of the Liberian Senate, and representatives of international development partners (World Bank, IMF, AfDB), attended the Forum.

## 4.0 DEPARTMENTAL REPORTS

### 4.1 FINANCE AND ADMINISTRATION DIVISION

The Division of Finance and Administration is the custodian of the Public Procurement and Concessions Commission’s (PPCC) assets, both financial and fixed, while ensuring proper accounting and internal control systems. The Division comprises of Finance Department; Human Resource Unit; Procurement Unit, Information Technology Unit (IT), and Maintenance Section that supervises the securities and the cleaners.

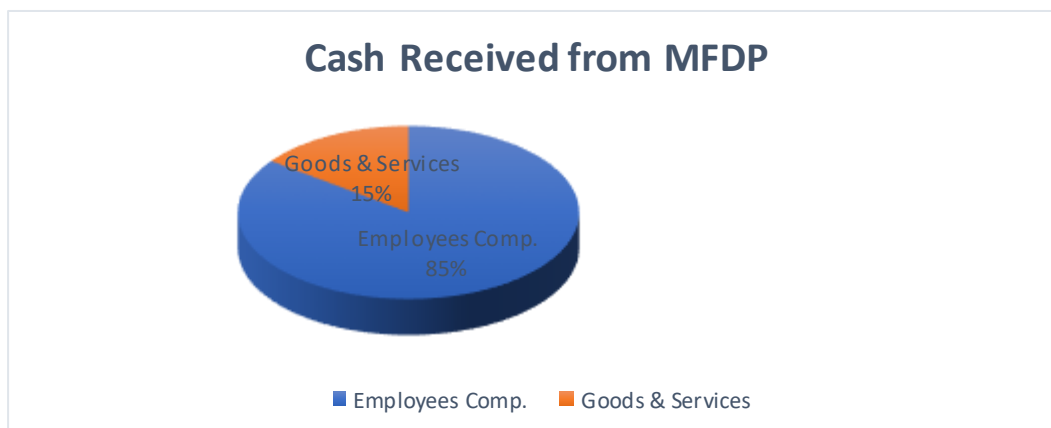
#### Activities Implemented

##### Finance

During the reporting period, the Commission received the amount of US\$772,549.00 from the Ministry of Finance and Development Planning. Of this amount, US\$657,667.00 went to employee’s compensation and US\$114,882.00 for Goods and Services.

Table 1. Cash Received from MFDP

<b>Employees Compensation</b>	<b>US\$657,667.00</b>	<b>85.13%</b>
<b>Goods and Services</b>	<b>US\$114,882.00</b>	<b>14.87%</b>
<b>Total</b>	<b>US\$ 772,549.00</b>	<b>100%</b>



From January –December 2021, the total expenditure amounted to US\$ 765,196.01; of this amount

US\$657,667.00 was used as employees' compensation while US\$ 107,529.01 was expended on goods and services.

Table 2. Expenditure made for 2021

<b>Employees Compensation</b>	<b>US\$657,667.00</b>	<b>85.91%</b>
<b>Goods and Services</b>	<b>US\$107,902.56</b>	<b>14.09%</b>
<b>Total</b>	<b>US\$765,569.56</b>	<b>100%</b>

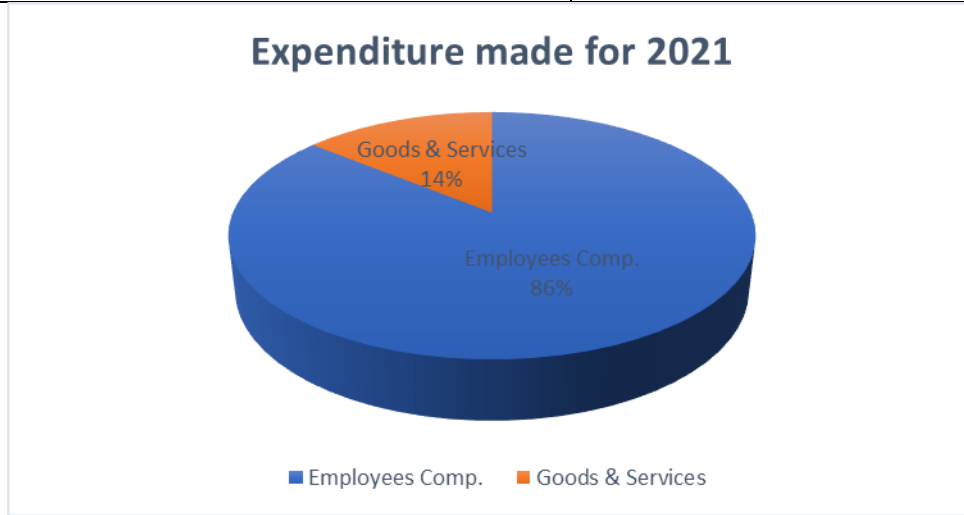
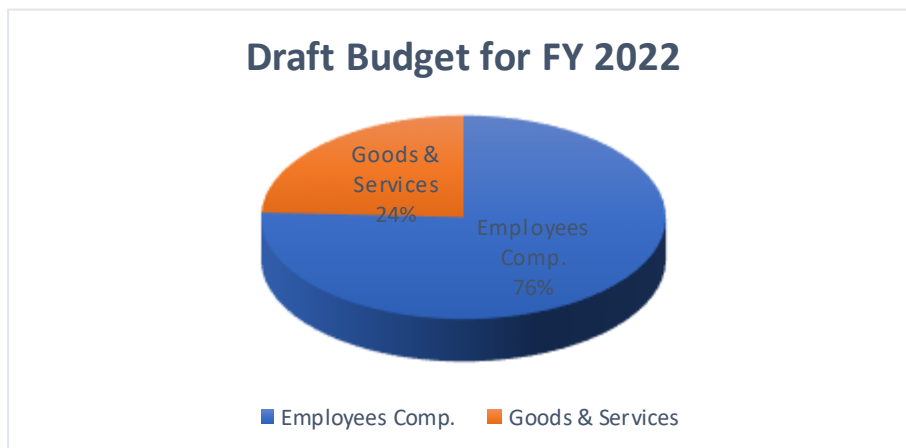


Table 3. PPCC's Draft Budget FY 2022

<b>Employees Compensation</b>	<b>US\$721,253.00</b>	<b>75.72%</b>
<b>Goods and Services</b>	<b>US\$231,242.00</b>	<b>24.28%</b>
<b>Total</b>	<b>US\$952,495.00</b>	<b>100%</b>



The following activities were complemented during the reporting period (January –December 2021).

- Prepared and submitted Financial Reports for Third and Fourth Quarters of 2020/21 and First Quarter Financial Report of the Special Fiscal Year 2021 to the Ministry of Finance and Development Planning (MFDP) and the General Auditing Commission (GAC).
- Prepared Draft Budget for Fiscal Year 2022.
- Prepared Bank Reconciliations for January- December 2021
- Ongoing posting of financial transactions in Ledgers
- Cooperating with GAC Auditors in auditing the Commission for FY2018/19-2020/21
- Processed and paid Staff Salary for January- December 2021.
- Worked with Staff of the General Services Agency to update PPCC's Assets Register
- Worked with Staff of the Ministry of Finance and Development Planning (MFDP) to installed IFMIS internet cables
- Received two contractors in our Office
- Staff from the Finance Unit attended workshop organized by MFDP on Financial Reporting

### ***PROCUREMENT UNIT***

PPCC is a procurement regulatory body and a procuring entity that acquires goods, works, and services in support of its operation. In this light, the procurement unit, which is under the direct supervision of the Procurement Committee (PC) and functionally accountable to the department of Finance and Administration, has the duties of planning and sourcing the supply of quality goods, works and services for the Commission through appropriate procurement methods from suppliers in support of the Commission's objectives.

This report accounts for procurement activities conducted over the period of twelve months, from January 1, 2021, to December 31, 2021.

### **GOL and Project Procurement Expenditure**

The Commission primarily received budgetary support from the Government of Liberia (GOL) through the approved national budget. During the period under review, the Commission also received funding supports from the World Bank through the e-GP project, and as well the United Nations Development Program's (UNDP) institutional support project.

During the period under review, the Commission acquired goods and services amounting to two hundred twenty-two thousand one hundred ninety-eight United States Dollars and eighty-three cents (\$222,198.83). This includes the combination of GOL, UNDP, and World Bank financial supports over the period of twelve months.

UNDP support accounts for Eleven Thousand Four United States Dollars and Eighty Cents (\$11,004.80) at approximately 5%, while the World Bank's e-GP project support amounts to One Hundred Fifty-Nine Thousand One Hundred Nine United States Dollars (\$159,109.00) or 72%. The actual procurement expenditure financed by the GOL was Fifty-Two Thousand Eighty-Five United States Dollars and Three Cents (\$52,085.03) which is about 23% of the overall procurement expenditure.

The total procurement expenditure incurred under UNDP and GOL supports comprises of both SBA and Non-SBA; SBA amounts to US\$43,996.82 or 70%, whilst NON-SBA is US\$19,093 or 30%. The procurement activities financed by the World Bank are not categorized into procurement spend-categories such as SBA or Non-SBA, since the Bank's procurement framework does not require similar classifications.

### **Summary Actual Procurement Expenditure (January-December 2021)**

Spend Categories	Actual Procurement Expenditure	
	Amount	Percentage
SBA (GOL & UNDP)	<b>\$43,996.82</b>	70%
NON-SBA (GOL & UNDP)	<b>\$19,093.85</b>	30%
TOTAL GOL & UNDP	<b>\$63,089.67</b>	100%
<b>OTHER DONOR SUPPORTS</b>		
WORLD BANK	<b>159,109.00</b>	
<b>GRAND TOTAL</b>	<b>\$222,198.67</b>	

### **ARCHIVE SECTION**

The Archive Section is to promote and ensure efficient and effective records management systems, processes, and practices for efficient management of general, confidential and personnel records through maintenance and storage in the semi-active stage and archiving legal documents to enhance effective administration and decision-making. This section is to also promote a culture of records keeping and efficient archival management at the PPCC.

#### **Progress in 2021**

The Archive Unit received from the office of the Executive Director, Procurement Plans and “No Objections” from Ministries and Agencies of government. Those instruments have been recorded and filed.

During 2021 on August 30, Mrs. Thelma M.D. Gbealley, Manager of the Archive Unit travelled along with other staffs of the Commission to participate in a Contract Management training program at the Ghana Institute of Management and Public Administration (GIMPA) in Ghana. Also, during the 2021 fiscal year, additional staff was employed and assigned in the Archive Unit as an Archivist and a female contractor was also assigned in the Unit.

### **INFORMATION TECHNOLOGY UNIT**

The IT Unit is responsible to promote the development and the use of innovative IT systems, processes, and products to improve the delivery capacity of the PPCC.

#### **Achievement**

During the year under review, the Unit tracked service requests made by different departments and units within the Commission These service requests provided information to the kind of services and IT related problems that were resolved. Please see table below for analysis of problems that were resolved.

Departments/Units	Assignments Resolved	Percentage Request
Compliance	41	60%
Vendor Register	12	17.6%
Finance/ Administration	10	14.7%

Human Resource	10	14.7%
Policy	8	11.7%
Communication	7	10.2%
Procurement	3	4.4%
Audit	4	5.8%
ED/CEO	3	4.4%
Total captured Service Request	68	

### Key Accomplishments for 2020 – 2021:

1. Replaced more than 30 malfunctioning laptops and desktops computer to maintain equipment performance and reliability according to best practices for life cycle management.
2. Currently a member of the EGP support team, contributing immensely to the EGP systems initiative as the commission embark on the road to acquiring the EGP systems.
3. Replaced all malfunctioning printers with new functional and efficient printers to support departments functions.
4. Developed the TOR and Concept Note for the restructuring of the Commission's Website.
5. Went on a study tour and EGP Training to two different Countries (Rwanda and Dubai)

### Ongoing Task / Project

- Repairs and Maintenance of IT equipment;
- Provides support for publication on the website
- Provides End User support
- Provides Network support
- Providing technical and professional advice to the Secretariat's Units and Divisions

### Projects

1. Technical support to the on-going E-GP system
2. Time and Attendance monitoring Device
3. Training Staff in Microsoft Office package (Ms Word, Excel, Access)
4. IT Policy

### Identified Challenges/Weakness

Several weaknesses have been identified to affect the effectiveness of the unit:

- Absence of suitable IT policy
- Absence of adequate network resources to support the network infrastructure
- Absence of licensed software
- Absence of a Domain Controller for the commission.
- Absence of a proper IT security system and firewall for network protection.

### Recommendation

- ❖ Servers within the Commission are currently faulty and need to be replaced with more functional servers' hardware and license software.
- ❖ Stability of the internet service greatly depends on the service provider (LIBTELCO). The Commission needs to be directly connected to Libtelco's fiber optic cable to achieve an average network uptime of at least 90% for better internet service.

## ***HUMAN RESOURCE UNIT***

The Human Resource Unit is charged with the responsibility to coordinate all personnel activities of the Commission. This report is centered on its activities for the period under review.

### **Achievements**

#### **Enhancing The Capacity of Staff:**

During the period under review, thirteen staff travelled to Ghana and obtained certificates in Contract Management from the Ghana Institute of Management and Public Administration (GIMPA), Eleven (11) other member of our staff also travelled to Dubai, United Arab Emirate and obtained certificates in Electronic Government Procurement Strategy and Implementation. The training was conducted by Crown Agents and funded by the World Bank through the Project Management Unit (PMU) based in the Ministry of Finance and Development Planning. Additionally, eight (8) staff of our staff, including the Chief Executive Officer received certificates following their participation in the Governance, Risk and Compliance training held in Dubai. The training was conducted by Black Bird-one of the leading capacity building institutions in the World. All these trainings are geared towards preparation for the launch of the Electronic Procurement platform in Liberia.

#### **Employment**

The Commission hired the services of Ten (10) contractors to work as compliance awareness officers. A two day orientation workshop was held to acquaint them with their respective roles, mandates, and general workings of PPCC. The staff have since been deployed in different divisions and units and are making contributions to the overall growth of the Commission.

#### **Retirement**

During the period under review, Mr. Isaac P.K. Dioh was retired following long years of service with the PPCC and Government of Liberia. Mr. Dioh served the Commission in the capacity of Director of Vendor Registration prior to his retirement.

#### **Training:**

During the period under review, thirteen staff travelled to Ghana and obtained certificates in Contract Management from the Ghana Institute of Management and Public Administration (GIMPA), Eleven (11) other member of our staff also travelled to Dubai, United Arab Emirate and obtained certificates in Electronic Government Procurement Strategy and Implementation. The training was conducted by Crown Agents and funded by the World Bank through the Project Monitoring Unit (PMU) based in the Ministry of Finance and Development Planning. Additionally, eight (8) staff of our staff, including the Chief Executive Officer received certificates following their participation in the Governance, Risk and Compliance training held in Dubai. The



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## ***4.2. COMPLIANCE & MONITORING DIVISION***

### ***Introduction***

The Division of Compliance & Monitoring is charged with the responsibility to monitor compliance of procuring and concession entities with the procedures under the law and regulations established by the PPCC; review procurement and concession documents and/or inspect records as necessary and prevent corruption of the process or any intended process; investigate public and private entities as necessary where there are allegations or suspicion that these entities have neglected their obligations under the law; maintain a list of bidders or entities that have been debarred from public procurement or concessions; provide information to be published in the Public Procurement and Concessions Bulletin as required.

### ***Achievements***

During the year under review, the Division of Compliance and Monitoring made the following achievements:

- Completed the Monitoring and inspection of procurement records of over seventy-five (75) Monrovia and Out of Town based Procuring Entities and submitted a comprehensive assessment report to the Office of the CEO;
- Completed the scanning and publication of all annual procurement plans approved by the Commission on the website of the Commission;
- Completed the scanning and publication of all “No Objections” granted by the Commission;
- Conducted two (2) annual procurement plan hearings for the Special Budget Year July to December 2021 and for the Fiscal Year 2022;
- Completed the analysis of contract award information including beneficiary owners and publication of same on the website of the Commission in keeping with the Act, World Bank and European Union reporting requirements;
- Oversaw and led the development of the Public Procurement Practitioners Database establishment;
- Drafted and submitted the concept note for the Procurement Mobile Training; and
- Conducted PEs, Communities, Universities, Colleges, High Schools, and Intellectual Centers outreach exercise in creating awareness around the importance and benefits of Public Procurement and the Commission.

Ancillary to the abovementioned achievements, it’s noteworthy to mention that the Division partnered with the Division of Communication and Information Dissemination to conduct several capacity buildings workshops for both Public and Private Sector procurement practitioners and stakeholders. Also, staffs of the Division played a key role in the planning and successful execution of the 2021 National Annual Procurement Forum.

## **Representations**

During the Year 2021, staffs of the Division represented the Commission at key functions where the Commission was invited. The Director of the Division represented the Commission at the validation sittings/meetings of the Economic Community of West African States (ECOWAS) Procurement, Financial and Public Private Partnership in October. Additionally, Senior Compliance Officer Titus K. Tikwa, Jr., and Serephina Fayiah Johnson represented the Commission at the National Capacity Building Implementation Plan Workshop in Buchanan, Grand Bassa County in December.

Earlier, Titus K. Tikwa, Jr also served on an interview panel at the Liberia Extractive Industry for Transparency Initiatives (LEITI) when the entity was recruiting their Procurement Director, Administrator and Technical Officer. Similarly, Procurement Analyst J. Antoine Dayrell also represented the Commission at the Liberia Institute of Statistics and Geo-Information Services (LISGIS) Operation Manual validation exercise in Kakaka, Margibi County in December. Importantly, Michael J. Dennis represented the Commission on the Committee responsible for the celebration of the 2021 Anti-Corruption Day at the Liberia Anti-Corruption Commission (LACC).

## **Ongoing Activities**

For Division is currently reviewing the draft annual procurement plans for PEs for the FY 2022 in addition to performing other core tasks. Plus, the Division is planning to commence the second phase of the Compliance Monitoring exercise and is currently working on the finalization of the Public Procurement Practitioners Database working closely with the IT Unit.

## **Challenges and Recommendations**

Though the Division highly appreciates the support received from the Commission over the course of the Year 2021 especially providing staffs access to national, regional, and internal trainings, there are still challenges that the Division would like the Commission to address in the current Fiscal Year to enhance its performance and productivity.

To lift the lid on these challenges, the absence of a dedicated vehicle for compliance and monitoring is adversely affecting the timely conduct of the compliance and monitoring exercises. Further, most of the furniture of the Division have outlived their usefulness and hence need to be changed. For example, Titus and Antoine's chairs are seriously damaged. Also, the contractors assigned to the Division do not have proper working stations.

In other to tackle the above listed challenges, the Division herewith recommends the following:

1. That a dedicated vehicle be made available to the Division to ensure the timely execution of its field work;
2. That the outdated furniture be replaced to ensure that Compliance Analysts and Officers feel comfortable in office;
3. That workstations be provided for all Compliance Contractors;
4. That the Office of the ED communicates in a timely manner compliance enhancement spinoffs with the Division prior to the commencement of the Fiscal Year to avoid the Division and the Office of the ED speaking with different voices; and
5. That the augmentation of the remuneration of staffs of the Division be considered.

## **4.3 INFORMATION & COMMUNICATIONS DIVISION**

The Division of Communication is charged with the responsibility to disseminate information related to the Act such as the development and publication of the quarterly Public Procurement and Concessions Bulletin, managing Public Relations on behalf of the Commission, and publishing the annual report of the Commission, amongst others. During the year under review, the Division made the following achievements/representations:

### **INCREASING AWARENESS**

During the year under review, the Commission developed a set of jingles and drama to educate the public and different stakeholders on the public procurement implementation reform program, as well as some of the new strategies/initiatives developed by the PPCC to enhance public procurement. A 5-minutes jingle and promo depicting the works of the PPCC, vendor registration processes/procedures, as well as promo to create awareness about the 3<sup>rd</sup> Annual National Procurement Forum were developed and aired on major radio stations in Monrovia. This was intended to educate the public about the available public procurement opportunities and the results thereof.

### **MONITORING AND REVIEW OF PROCUREMENT NOTICES**

This engagement is an integral part of the division because of its role in gathering sensitive procurement information from the print and electronic media. The Division of Communication has been able to keep up with the monitoring and review of anomalies in the procurement notices published in the local dailies by Ministries, Agencies and Commissions (MACS) and other information related to public procurement. These reports are analyzed in consultation with the Compliance and Monitoring Division for onward submission to the Chief Executive Officer's office.

### **QUARTERLY NEWSLETTER “ALERT”**

As part of efforts to educate the public about the procurement implementation program, the Commission published a 32- page quarterly Newsletter; ‘Alert.’ The newsletter contains articles that provide real-time procurement information essential for the public and various procurement stakeholders. 200 copies were produced and circulated. This edition is a combination of 1<sup>st</sup> & 2<sup>nd</sup> Quarters activities for 2021.

### **DONOR’S FUNDED ACTIVITIES**

#### **E-GP PROJECT**

The Division of Communication is complementing efforts of PPCC through donor assistance to establish an electronic procurement platform in Liberia. It is currently working on series of preliminary activities approved by the donors (World Bank and African Development Bank) to set the stage for the establishment and subsequent piloting of the eProcurement platform to ministries and agencies of the Liberia Government. Key amongst activities being pursued under the donor assistance portfolio include Revision of the PPC Act, 2010 to concur with the public procurement modernization effort, development of Strategy and Business Process Reengineering) BPR), as well as conduct of procurement processes to enhance institutional support for the E-GP project.

#### **3<sup>rd</sup> Annual Procurement Forum**

The Division of Communication closely worked with the Office of the Chief Executive Officer to plan and implement the conduct of the 3<sup>rd</sup> Annual Procurement Forum. The Forum was organized to engage stakeholders on the implementation of the Act. It brought together stakeholders from the public and private sectors, civil

society organizations, the business, and media communities to identify implementation challenges and shortcomings of PPC Act of 2010 and design innovative ways that will open new avenues for greater digitization in public procurement functions. It was held in the Theater and the Ballroom of the Ministerial Complex on the 1<sup>st</sup> and 2<sup>nd</sup> of December and climaxed with a parade from Broad Street to the Monrovia City Hall on December 3, 2021.

### **E-GP TRAINING**

In preparation for the launch of the electronic procurement platform in Liberia, the Commission, during the period under review, worked closely with the Project Monitoring Unit based in the Ministry of Finance and Development Planning to train 32 staff in the United Arab Emirate and Ghana. Please see table below for analysis of the training:

<b>No</b>	<b>Type of Training</b>	<b># Beneficiary</b>	<b>Training Inst</b>	<b>Training Venue</b>	<b>Qualification</b>
1	Contract Management	13 Staff	Ghana Institute of Management and Public Administration (GIMPA)	Ghana	Certificate
2	Electronic Government Procurement Strategy and Implementation	11 Staff	Crown Agents	Dubai, UAE	Certificate
3	Governance, Risk & Compliance	8 Staff	Black Bird	Dubai, UAE	Certificate

### **UNDP FUNDED PROJECT**

#### **MEDIA & CSOs ENGAGEMENT WORKSHOP**

In August 2021, the Public Procurement & Concessions Commission held a One-day public procurement awareness session in Kakata, Margibi County, to sensitize journalists and representatives of civil society organizations about the rules governing the conduct of public procurement in Liberia. It was also intended to strengthen their reportage on matters related to public procurement. The session was held at the Kakaka City Hall in Margibi County. A total of thirty-two (32) journalists (editors and reporters) and civil society representatives attended. It was held on the theme: **“COLLABORATING WITH THE MEDIA & CSOs TO STRENGTHEN PUBLIC PROCUREMENT INFORMATION CONVEYANCE FOR NATIONAL DEVELOPMENT.**

#### **PUBLIC PROCUREMENT COMPLIANCE WORKSHOP**

Compliance to the PPCA is one of the most cardinal requirements in the entire public procurement legal framework. This is so because adherence to the law by public officials involved with public procurement puts the government in a better position to enhance national development. It is in light of the above that PPCC sought and received funding from the United Nations Development Program (UNDP) to strengthen the

procurement capacity of county authorities, with a view to ensure transparency, accountability and integrity in the utilization of public resources. Hence, a two-day public procurement compliance workshop was held in Gbarnga, Bong County, for 74 local officials from Bong, Nimba, Grand Bassa, Margibi, and Montserrado Counties. The participants included county superintendents and their deputies, heads of county-based institutions to include community colleges, referral hospitals, county health teams, and procurement officers. The workshop was held in June 2021.

## **SUPPLIERS WORKSHOP**

The conduct of Bid Tendering workshop for suppliers was another training initiative funded by the UNDP during the reporting period. Seventy-five suppliers involved with government's bid tendering and others wishing to participate in government tender, gathered at the Paynesville Town Hall in October 2021 to participate in the two days' workshop. Key topics relevant to the supplier's participation in public tender were discussed by the facilitators. The training placed more emphasis on the tips for winning contracts and the opportunities thereof.

## **PROSPECTS**

The Division remains hopeful that the level of work that has been done to implement mandates of the PPCC will increase. Every effort aimed at boosting the operating capacity of the Commission will be exerted to improve the procurement system. There will be further engagements with existing partner institutions to solicit assistance, to increase the delivery level of the Division. We will also engage and forge collaborations with various stakeholders in the procurement ecosystem to bring productivity, and reach out to public officials, irrespective of locations to educate them on the provisions of the PPCA. We will customize our sensitization programs to suit their needs. This, we are hopeful; will bring them into compliance with the PPCA.

## ***4.4 POLICY, STANDARDS AND PROCEDURES DIVISION***

### **Introduction**

The Policy, Standards and Procedures Division (PSPD) is charged with the responsibilities to develop rules, instructions, regulations and related documentations on public procurement and concessions processes and procedures including designing formats in furtherance of the PPC Act 2010. This report is the 2020 Annual report on the division's administrative and operational activities.

### **The Achievements**

As part of strategic planning effort to increase effectiveness and efficiency in the operations of the Commission, the division in coordination with other internal structures concluded and submitted to the Office of the CEO, the draft Strategic Plan intended to guide the Commission's activities and operations in the next five years. The auxiliary plans, the Procurement and Resource Mobilization Strategies were also finalized and submitted to ED office for approval.

As part of rethinking the strategic position of the Commission, the division drafted and submitted to the Office of the CEO a New Organizational Chart for the Commission. When finalized and adopted, the Organogram will help align the institutional structures with the next five-year strategy.

During the period under review, the Division also worked along with the E-GP Project Coordination Committee, Communities and Universities Outreach Awareness Campaign, Committee on the Conduct of the 3<sup>rd</sup> Annual Public Procurement Forum, Vendor Registration Awareness Campaign, and Committee on the internal review of the PPCA, 2010 to achieve the set goals of PPCC.

## **Ongoing Activities**

For the period under review, the division has some ongoing activities among which include:

- Development of internal procedure format to guide publication process at the PPCC.
- Development of templates to facilitate effective working of internal structures at the PPCC.

### **4.5 *COMPLIANTS, APPEALS & REVIEW DIVISION***

Primarily, functions of the Division of Legal Affairs of the Public Procurement and Concession Commission (PPCC) are to advise the commission where applicable in conformity existing laws, assist with reviews and amendments processes, draft legal policies/documents and give support to the Complaints, Review and Appeal Panel (CARP) among others.

Consistent with the above, the Division is pleased to report as follows representing the period January to December 2021:

#### **CONTRACTS:**

The Division with request from Procurement Division, reviewed, strengthened, and committed the PPCC to a new set of contracts to include IT, maintenance, and petroleum contracts, to name a few.

#### **INVESTIGATION/HEARING**

The Legal Affairs Division, clothed with the authority to work along with the Complaints, Review and Appeals Panel (CARP), did not receive any complaints for investigation or hearing during the period under consideration.

#### **ENGAGEMENTS**

- ❖ During the year under review, January 2021, debt settlement claim was brought against the PPCC by Oregon through its legal counsel, the Sesay and Associates Law Firm. The matter was resolved.
- ❖ The Division developed an opinion in a complaint filed by Professor Willie Belleh, against the Commission for wrongful dismissal.
- ❖ In 2021, members of the Complaints, Review and Appeal Panel (CARP) were appointed. Subsequently, a scheduled meeting was held with the Executive Director for detail of their (CARP) responsibilities.
- ❖ In February 2021, the Commission filed complaint with the Media Counsel of the PUL against Joy FM for smearing the reputation of the Executive Director and the Commission. The matter was investigated with Joy FM adjudged liable.
- ❖ During the month of March 2021, the Executive Director constituted the Act Review Committee and named the Legal Division to head said committee. The Committee completed its task of reviewing and recommending areas of the law for amendment and submitted same to the office of the Executive Director for review and consideration.
- ❖ In the month of May 2021, the Legal Division and other divisions met to discuss the GAC's audit report on the Commission.
- ❖ Effort was made through the office of the Executive Director during the year under review to have meeting with the Central Bank administration on the way forward relative to the applicability of the PPCC Act in procurement related activities at the said Bank.
- ❖ The office of the Legal Affairs Division through its Director, in October 2021 traveled to the United Arab Emirates to attend E-GP training supposed by the World Bank.

## 4.6 *VENDOR REGISTRATION DIVISION*

### 4.7 Introduction

The Vendor Registration (VR) Unit is charged with the responsibility to process/register all businesses and consultants that desire to obtain contract from the Government of Liberia, upload all registered businesses on the PPCC Online Vendors Register, update vendors' data on an ongoing basis, and monitor interested businesses listed in the VR database.

#### Achievements

An assessment tour was during the year under review and the findings show that a total of 424 businesses were disabled from the VR online database due to failure to update their registration.

In the third quarter of the calendar year, with consultation and approval of the Chief Executive Director, VR receipt was revised. Improvement was made on the design and security stamps to authenticate the original receipt, with a view to prevent counterfeiting.

Summarized in the table below is the performance of the VR Division, showing the total number of applications received and processed during the period May 27, 2015 – December 31, 2021:

#### Activity Chart

No.	Activity	Quantity
A	Total number of packages received up to June 30, 2021	1,138
	Add: Number of packages received during 07/01/21-12/31/21	<u>37</u>
		<u>1,175</u>
	Total packages received to date	
B	Total registered business/consultants up to 06/30/21	584
	Add: Registered businesses/consultants during 07/01/21-12/31/21	<u>44</u>
	Total registered to date	<u>628</u>
C	Number of businesses discussed pending registration	242
	Add: Number of businesses pending discussion	<u>305</u>
	Total number of businesses/consultants in the process to date	<u>547</u>
D	Total registered and in process businesses/consultants(B+C)	<u>1,175</u>

**The 628 registered businesses comprise 472 Liberians, 156 Non-Liberian businesses, and 1 International NGO; and by gender comprise 503 males, 90 females, and equal sex, 35.**

## **5.0 CHALLENGES**

It is noteworthy to state that there has been buttressing support from partners for selected activities, however, on the overall; the Commission is faced with hitches in implementing key mandates of the institution that will generate proactive reform in the public procurement and concession sectors. In reference, the Commission highlights the following challenges:

- **Slow paced and unwillingness** of some public procurement and concession granting entities to comply with the processes and procedures of the PPCA;
- Inadequate budget to fully execute all the mandate areas of the Commission;
- Insufficient staff to fully execute all the mandate areas of the Commission;
- Inadequate office space and equipment/working tools such as laptop/computers, furniture, vehicles, and other logistics to enable the Commission fully to perform its statutory mandates.

## **6.0 CONCLUSION**

The Commission is exerting every effort and is tapping every available resource to ensure that its mandate is achieved in an effective and efficient manner. Discussions and interventions with our donor partners like the World Bank, African Development Bank, as well as the United Nations Development Program (UNDP), are all centered on ensuring that additional support is provided to fully implement the mandate areas of the Commission, such as compliance monitoring, capacity building and awareness creation, policy formulation. We remain hopeful of our quest to establish a robust electronic procurement platform in Liberia that will address some of the anomalies in public procurement.

## **7.0 RECOMMENDATIONS**

The Commission notes that, if the below issues are given serious consideration, remarkable progress can be achieved in the implementation of the Public Procurement & Concessions Act and enormous improvement of Liberia' Public Procurement System of Liberia:

- 4. That the Commission be provided continuous required financial support to facilitate the execution of its monitoring and review mandate of public entities and subsidized institutions;**
- 5. Expansion or relocation of the Commission to accommodate existing staff, other units relevant to the functions of the Commission and create training space;**
- 6. A strong caveat to procuring and concession granting entities on the primary importance of complying with the governing procurement and concession laws of Liberia. This will strongly emphasize and showcase more the political will of the GOL and entities will note the strong message sent out.**