



PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS AUTHORITY

**INVESTIGATION INTO ALLEGED IRREGULARITIES IN THE PROCUREMENTS
UNDERTAKEN BY SUB-COUNTY CHIEF, KIRIMA SUB-COUNTY USING REVENUE
SHARED FROM UGANDA WILDLIFE AUTHORITY**

ENTITY : KANUNGU DISTRICT LOCAL GOVERNMENT

COMPLAINANT : WHISTLE BLOWER

JUNE 2020

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ACRONYMS

AO	-	Accounting Officer
CC	-	Contracts Committee
CPCs	-	Community Procurement Committee
DLG	-	District Local Government
FY	-	Financial Year
PDU	-	Procurement and Disposal Unit
PPDA	-	Public Procurement and Disposal of Public Assets Authority
UGX	-	Uganda Shillings
UWA	-	Uganda Wildlife Authority

1.0. SUMMARY OF FACTS

1. During Financial Year 2019/20, Kanungu District Local Government benefitted from shared revenue totalling UGX 1,014,595,256 from Uganda Wildlife Authority (UWA) distributed amongst the following Sub-Counties bordering the National Park:

Table 1: Revenue Shared

S/n	Lower Local Governments	Amount (UGX)
1.	Kirima Sub-County	356,308,418
2.	Kinaba Sub-County	403,196,187
3.	Kanungu Town Council	180,678,599
4.	Rutenga Sub- County	74,412,052
TOTAL		1,014,595,256

2. The record of issue of solicitation document dated between 4th November 2019 and 7th November 2019 and signed by the Sub-County Chief Kirima, Mr. Methodius Byakatonda, indicated that the following providers were issued with solicitation documents:

Table 2: Record of Issue of Solicitation Documents

No.	Name of bidder	Document issue date	Subject of procurement
1.	QuacilProjekt Limited	4/11/2019	Opening of Rushambo Road
2.	Shanak Investments Limit	4/11/2019	
3.	Kinombe Construction Company Limited	4/11/2019	Opening and grading of Rwamisinga Road
4.	Exponential Ventures Limited	4/11/2019	
5.	QuacilProjekt Limited	5/11/2019	
6.	Milton Beinomwanya	5/11/2019	Protection of 3 springs at Kasoni Cell
7.	MUWA Contractors Limited	5/11/2019	
8.	Exponential Ventures Limited	6/11/2019	
9.	CWWE Services Limited	6/11/2019	
10.	LeubenWemisisha	7/11/2019	
11.	MKET Technical Services Limited	8/11/2019	
12.	Shanak Investments Limited	6/11/2019	Opening and grading of Ahabutare Road
13.	QuacilProjekt Limited	7/11/2019	
14.	Kinombe Construction Company Limited	7/11/2019	
15.	Kinombe Construction Limited	4/11/2019	Opening and grading of Mutojo Road
16.	Shanak Investments Limited	5/11/2019	
17.	QuacilProjekt Limited	5/11/2019	
18.	MKET Technical Services Limited	5/11/2019	Protection of 2 springs at Habutare Cell
19.	Milton Beinomwanya	5/11/2019	
20.	Philip Kanyesigye	6/11/2019	
21.	MKET Technical Services Limited	5/11/2019	Construction of 3 stance VIP Latrine at Diane Stranton Church of Uganda Primary School
22.	KMA Engineering Company Limited	5/11/2019	
23.	Muboni Technical Services Limited	6/11/2019	
24.	MUWA Contractors Limited	6/11/2019	
25.	Zikanga Ben Contractors Limited	5/11/2019	Construction of 2 classroom block at St.
26.	MKET Technical Services Limited	6/11/2019	

No.	Name of bidder	Document issue date	Subject of procurement
			Kaggwa Primary School
27.	MKET Technical Services Limited	5/11/2019	Construction of 1 classroom block at Rushamba Primary School
28.	Frank Tugume	6/11/2019	
29.	CWWE Services Limited	6/11/2019	Protection of 3 springs at Nyakabungo Cell
30.	KMA Engineering Services Limited	7/11/2019	
31.	Jackson Rwendeire	6/11/2019	
32.	MKET Technical Services Limited	7/11/2019	
33.	MKET Technical Services Limited	7/11/2019	Construction of 1 classroom block at Migyera Church of Uganda Primary School
34.	Tinapa Construction & Engineering Limited	6/11/2019	
35.	KinombeNyaruzinga Construction Company Limited	7/11/2019	Opening and grading of Bugandar Road
36.	QuacilProjekt Limited	6/11/2019	
37.	MKET Technical Services Limited	7/11/2019	
38.	QuacilProjekt Limited	7/11/2019	Opening and grading of Buhamba Road
39.	Shanak Investment Limited	6/11/2019	
40.	MKET Technical Services Limited	6/11/2019	Construction of 2 classroom block at Kitunga Primary School
41.	Matara Investment Company Limited	5/11/2019	
42.	Davintech General Enterprises	7/11/2019	
43.	Exponential Ventures Ltd	7/11/2019	Opening and grading of Kasoni Road
44.	QuacilProjekt Ltd	6/11/2019	
45.	QuacilProjekt Limited	6/11/2019	Opening and grading of Ruheza Road
46.	Exponential Ventures Limited	7/11/2019	

3. The following bids were received between 4th November 2019 and 7th November 2019 by the Sub-County Chief, Kirima:

Table 3: Record of Receipt of Bids

No.	Name of the bidder	Date of Receipt of Bids	Procurement
1.	Kinombe Construction Co. Limited	6/11/2019	Opening and grading of Rwamisinga Road
2.	QuacilProjekt Limited	6/11/2019	
3.	Exponential Ventures Limited	6/11/2019	
4.	CWWE Services Limited	7/11/2019	Protection of 3 springs at Kasoni Cell
5.	Milton Beinomwanya	7/11/2019	
6.	MUWA Contractors Limited	7/11/2019	
7.	Kinombe Construction Co. Limited	7/11/2019	Opening and grading of Ahabutare Road
8.	Shanak Investments Limited	6/11/2019	

No.	Name of the bidder	Date of Receipt of Bids	Procurement
9.	QuacilProjekt Limited	7/11/2019	
10.	MKET Technical Services Limited	6/11/2019	Protection of 1 spring at Ruheeza Cell
11.	CWWE Services Limited	7/11/2019	
12.	Frank Tugume	6/11/2019	Construction of 1 classroom block at Rushamba Primary School
13.	MKET Technical Services Limited	7/11/2019	
14.	KMA Engineering Services Limited	6/11/2019	
15.	MKET Technical Services Limited	7/11/2019	Protection of 3 springs at Nyakabungo Cell
16.	CWWE Services Limited	6/11/2019	
17.	Jackson Rwendeire	7/11/2019	
18.	Shanak Investments Limited	6/11/2019	
19.	QuacilProjekt Limited	6/11/2019	Opening and grading of Mutojo Road
20.	Kinombe Construction Limited	7/11/2019	
21.	QuacilProjekt Limited	5/11/2019	Opening of Rushambo Road
22.	Shanak Investments Limited	6/11/2019	
23.	MKET Technical Services Limited	7/11/2019	Construction of 1 classroom block at Migyera Church of Uganda Primary School
24.	Tinapa Construction & Engineering Limited	6/11/2019	
25.	MKET Technical Services Limited	7/11/2019	Opening and grading of Bugandar Road
26.	KinombeNyaruzinga Construction Company Limited	6/11/2019	
27.	QuacilProjekt Limited	7/11/2019	
28.	Daavintech General Enterprises	7/11/2019	Construction of 2 classroom block at Kitunga Primary School
29.	MKET Technical Services Limited	6/11/2019	
30.	Matare Investment Company Limited	7/11/2019	
31.	MUWA Contractors Limited	7/11/2019	Construction of 3 stance VIP Latrine at Diane Stranton Church of Uganda Primary School
32.	KMA Engineering Company Limited	7/11/2019	
33.	MKET Technical Services Limited	6/11/2019	Construction of 2 classroom block at St. Kaggwa Primary School
34.	Zikanga Ben Contractors Limited	7/11/2019	
35.	Exponential Ventures Limited	6/11/2019	Opening and grading of Kasoni Road
36.	QuacilProjekt Limited	7/11/2019	
37.	Exponential Ventures Limited	7/11/2019	Opening and grading of Ruheeza Road
38.	QuacilProjekt Limited	6/11/2019	

4. On 8th November 2019, the Sub-County published the notice to bid on its notice board, KBS Radio Station and Kanungu Radio Station and bidders were required to pay non-refundable fees ranging from UGX 50,000 to UGX 200,000 on Kirima Sub-County General Fund Account Number 3100033603. The deadline for bid submission was 8th November 2019.

5. On 8th November 2019, the following bids were received as indicated below:

Table 4: Record of Receipt of Bids

No	Name of the bidder	Subject of Procurement
1.	MKET Technical Services Limited	Protection of 3 springs at Kasoni Cell
2.	Exponential Ventures Limited	
3.	LeubenWesimisha	
4.	PhilmonAriyo	Protection of 1 spring at Ruheeza Cell
5.	MKET Technical Services Limited	Protection of 2 springs at Habutare Cell
6.	Philip Kanyesigye	
7.	Milton Beinomwanya	
8.	MKET Technical Services Limited	Construction of 3 stance VIP Latrine at Diane Stranton Church of Uganda Primary School
9.	Muboni Technical Services	

6. On 8th November 2019, the bids below were opened as indicated below:

Table 5: Record of Bid Opening

No.	Subject of Procurement	Name of the Bidder	Price Read Out (UGX)
1.	Protection of 3 springs at Kasoni Cell	MKET Technical Services Limited	10,260,000
		Exponential Ventures Limited	10,500,000
		Milton Beinomwanya	10,470,000
		LeubenWemisisha	10,500,000
		MUWA Contractors Limited	10,425,000
		CWWE Services Limited	10,546,000
2.	Opening and grading of Rwamisinga Road	Exponential Ventures Limited	41,869,800
		QuacilProjekt Limited	39,897,060
		Kinombe Construction Company Limited	38,808,000
3.	Opening and grading of Ahabutare Road	QuacilProjekt Limited	19,645,500
		Kinombe Construction Company Limited	17,661,000
		Shanak Investments Limited	19,729,500
4.	Protection of 1 spring at Ruheeza Cell	PhilmonAriyo	3,491,000
		MKET Technical Services Limited	3,340,000
		CWWE Services Limited	3,515,500
5.	Construction of 1 classroom block at Rushamba Primary School	MKET Technical Services Limited	24,887,180
		Frank Tugume	24,798,432
6.	Protection of 3 springs at Nyakabungo Cell	Jackson Rwendeire	10,800,000
		MKET Technical Services Limited	10,260,000
		CWWE Services Limited	9,879,000
		KMA Engineering Services Limited	10,525,000
7.	Opening and grading of	Shanak Investments Limited	17,330,000

No.	Subject of Procurement	Name of the Bidder	Price Read Out (UGX)
	Mutojo Road	QuacilProjekt Limited	11,382,000
		Kinombe Construction Limited	11,760,000
8.	Opening and grading of Rushambo Road	QuacilProjekt Limited	19,131,000
		Shanak Investments Limited	20,330,000
9.	Construction of 1 classroom block at Migyera Church of Uganda Primary School	Tinapa Construction & Engineering Limited	39,775,000
		MKET Technical Services Limited	21,084,900
10.	Protection of 2 springs at Habutare Cell	Philip Kanyesigye	7,000,000
		Milton Beinomwanya	6,980,000
		MKET Technical Services Limited	6,840,000
11.	Opening & grading of Bugandaro Road	QuacilProjekt Limited	9,534,000
		KinombeNyaruzinga Construction Company Limited	9,534,000
		MKET Technical Services Limited	9,404,475
12.	Construction of 2 classroom block at Kitunga Primary School	Matare Investment Company Limited	40,000,000
		MKET Technical Services Limited	39,476,874
		Davintech General Enterprises	40,225,500
13.	Construction of 3 stance VIP Latrine at Diane Stranton Church of Uganda Primary School	MUWA Contractors Limited	12,924,500
		Muboni Technical Services	13,080,000
		KMA Engineering Company Limited	12,990,000
		MKET Technical Services Limited	12,710,700
14.	Construction of 2 classroom block at St. Kaggwa Primary School	MKET Technical Services Limited	41,927,180
		Zikanga Ben Contractors Limited	41,777,500
15.	Opening and grading of Kasoni Road	QuacilProjekt Limited	14,104,550
		Exponential Ventures Limited	20,328,000

7. On 29th November 2019, the Evaluation Committee indicated in Table 6 conducted evaluation of bids:

Table 6: Evaluation Committee

No	Name	Position
1.	Mr. Nobert Tukahebwa	Senior Accounts Assistant
2.	Mr. Bob Taremwa	Superintendent of Works
3.	Mr. Sam Niwagasha	Procurement Officer
4.	Mrs. Hilda Tumusiime	Community Development Officer, Kirima Sub- County
5.	Mr. Davis Karamira	Representative, Rubimbwa Parish
6.	Mr. Bernard Busyarimwe	Representative, Rutugunda Parish
7.	Mr. Sylvester Katsigazi	Representative, Bushura Parish

8. The Evaluation Committee recommended the award of tender to the bidders indicated in Table 7.

Table 7: Bidders Recommended for Award of Tenders

No.	Subject of procurement	Best Evaluated Bidder	Award Price (UGX)
1.	Construction of 3 stance VIP Latrine at Diane Stranton Primary School	MKET Technical Services	12,710,700
2.	Construction of 3 stance VIP Latrine at Kitariro Primary School	Mushabe General Contractors Ltd	12,973,500
3.	Construction of 2 classroom block at St. Kagwa Primary School	MKET Technical Services Ltd	41,927,180
4.	Construction of 2 classroom block at St. Kitunga Primary School	MKET Technical Services Ltd	39,476,874
5.	Construction of 1 classroom block at Rushamba Church of Uganda Primary School	Tugume Frank	24,798,432
6.	Construction of 1 classroom block at Migyera Church of Uganda Primary School	MKET Technical Services Ltd	21,084,900
7.	Protection of 3 springs in Kasoni Cell	CWWE Services (U) Ltd	10,546,500
8.	Protection of 1 spring in Ruheeza cell	CWWE Services (U) Ltd	3,515,500
9.	Protection of 3 springs in Nyakabungo cell	CWWE Services (U) Ltd	9,879,000
10.	Protection of 2 springs in Habutare cell	MKET Technical Services Ltd	6,840,000
11.	Opening and grading of Bugandaro Road	MKET Technical Services Ltd	9,407,475
12.	Opening and grading of Mutojojo Road	QuacilProjekt Limited	11,382,000
13.	Opening and grading of ahabutare Road	QuacilProjekt Limited	19,645,500
14.	Opening and grading of Buhamba Road	QuacilProjekt Limited	13,994,400
15.	Opening and grading of Rwamisinga Road	QuacilProjekt Limited	39,897,060
16.	Opening and grading of Ruheeza Road	QuacilProjekt Limited	26,126,100
17.	Opening and grading of Rushamba Road	QuacilProjekt Limited	19,131,000
18.	Opening and grading of Kasoni Road	QuacilProjekt Limited	14,104,550
	Total		337,440,671

9. On 29th November 2019, the Sub-County Chief, displayed the best evaluated bidder notice for various projects mentioned in Table 7 above.
10. On 3rd December 2019, the Contracts Committee awarded contracts worth UGX. 337,440,671 indicated in Table 7 above.

11. On 4th December 2019, the Authority received a complaint from a whistleblower alleging irregularities in the procurements undertaken by Sub-County Chief, Kirima Sub-County using shared revenue from Uganda Wildlife Authority.
12. On 11th December 2019, the contracts for the undertaking of the various projects in Kirima Sub-County were signed by the Sub-County Chief.

2.0. OBJECTIVES OF THE INVESTIGATION

The objective of the investigation was to establish whether there were irregularities in the procurements undertaken by Sub-County Chief, Kirima Sub-County using shared revenue from Uganda Wildlife Authority.

3.0 LAWS APPLICABLE

- i. The Public Procurement and Disposal of Public Assets Act, 2003;
- ii. The Public Procurement and Disposal of Public Assets Regulations, 2006;
- iii. The Public Procurement and Disposal of Public Assets Guidelines 2008; and
- iv. The bidding documents issued.

4.0. METHODOLOGY

1. The Authority reviewed the following documentation:
 - i. Bid notice
 - ii. Records of issue of solicitation documents;
 - iii. Records of receipt of bids;
 - iv. Records of bid opening;
 - v. Bids submitted;
 - vi. The Evaluation Report;
 - vii. Contracts Committee minutes;
 - viii. Copies of the contracts; and
 - ix. Other correspondences on the procurement.
2. The Authority met and interviewed the persons indicated in Table 8 below:

Table 8: Persons Met

No.	Name	Designation	Entity
1.	Mr. Alex Kwizera	Chief Administrative Officer	Kanungu DLG
2.	Mr. Elisa Mujuni	Senior Procurement Officer	Kanungu DLG
3.	Mr. Sam Nuwagasha	Procurement Officer	Kanungu DLG
4.	Mr. Methodius Byakatonda	Sub-County Chief & Member Contracts Committee	Kanungu DLG
5.	Mr. Sabilla Chemonges	Head of Legal	UWA
6.	Mr. Mark Opowo	Procurement Manager	UWA

5.0. FINDINGS BY THE AUTHORITY

5.1 Whether there were irregularities in the procurements undertaken by the Sub-County Chief, Kirima Sub-County

1. The complainant alleged that that the Procurement and Disposal Unit and Sub-County Chief, Kirima in Kanungu District Local Government, Mr. Methodius Byakatonda, flouted the procurement Guidelines issued by UWA.
2. Uganda Wildlife Authority issued Guidelines to all Procuring and Disposing Entities (PDEs) bordering the National Parks in Uganda in the usage of revenue generated and shared from the parks. The beneficiaries of the Revenue Sharing Policy Guidelines 2013 were the Sub-counties bordering the National Parks.
3. The Authority reviewed the Clauses 5.3.3 and 11.0 which directly affected the procurement of goods/works/services and noted the following:
 - i. The Revenue Sharing Policy Guidelines 2013 was not accredited by the Authority and it had structures, methods and thresholds that were running parallel to the PPDA Act, 2003 and the Local Governments (PPDA) Regulations, 2006 and hence contravened Section 40A of the PPDA Act, 2003.
 - ii. Clause 5.3.3 of the Revenue Sharing Policy Guidelines 2013, provided that the benefitting Sub-Counties should form Community Procurement Committees (CPCs) comprising of five members, at least two of whom had to be women, and the technical requirement for the CPCs members was the ability to read and write English. Their main role was to solicit, receive and recommend award of procurements after evaluation. The requirement for the ability to read and write gave an opportunity to the majority of locals to participate in the procurement process. However, they lacked the technical knowledge in procurement yet CPCs were supposed to solicit, receive, evaluate and award contracts.
 - iii. The local bidding and shopping procurement methods provided in the Guideline were contrary to the PPDA Act, 2003 and the Local Governments (PPDA) Regulations, 2006.
 - iv. Clause 11.0 of the Revenue Sharing Policy Guidelines, 2013 provided for the following thresholds:

Table 9: Thresholds and Procurement Methods

Financial Threshold (UGX)	Procurement Methods
Goods and/or services worth more than Uganda Shillings One Million (>1,000,000/=).	Local bidding (placement of notices calling for proposals in public places or local media).
Goods and/or services worth less than or equal to Uganda Shillings One Million but more than Uganda Shillings Two Hundred Fifty Thousand (>250,000 ≤1,000,000/=).	Shopping (obtaining quotations from at least three (3) suppliers/service providers).
Goods and/or services worth less than or equal to Uganda Shillings Two Hundred Fifty Thousand (≤250,000/=).	Direct contracting of a single supplier/service provider.

- v. The threshold above UGX 1,000,000 did not have a ceiling and the procurement method under it did not provide for open bidding despite the billions of monies

disbursed to the Entities. For example, Kanungu District Local Government alone received UGX 1,014,595,256 associated with Bwindi Impenetrable National Park.

- vi. There was no evidence that all procurements undertaken using UWA shared revenue were reported to the Procurement and Disposal Unit for onward submission to PPDA. Therefore, PPDA did neither capture such monies in our system nor undertook compliance assessments/procurement auditing to ensure fairness, competition, transparency, accountability and value for money.

The Authority reviewed the procurements undertaken by Kirima Sub-County and found the following irregularities:

Planning and initiation

1. Kirima Sub-County awarded 18 procurements worth UGX 341,831,448 without a procurement plan contrary to Clause 5.3.2 of the Uganda Wildlife Authority Revenue Sharing Policy Guidelines 2013 which provided for the identification of community needs and development of a procurement plan.
2. The Sub-County did not follow both the Uganda Wildlife Authority Revenue Sharing Policy Guidelines 2013 and the Local Governments (PPDA) Regulations, 2006 at initiation. There were no procurement requisitions for the 18 procurements totalling to UGX 337,440,671 contrary to Regulation 65 (1) of the Local Governments (PPDA) Regulations, 2006.

Bidding

1. The bid notice had a bidding period of 1 day. The bid notice was dated 8th November 2019 and the deadline for bid submission was also 8th November 2019.
2. The bid notice was published in Runyankole (local dialect) on the Sub-County notice board and on radio stations, namely Kanungu Broadcasting Services and Kanungu FM contrary to Section 57 (2) of the PPDA Act, 2003 which requires communication to be in English.
3. The bid notice was generic and did not mention the exact items advertised i.e. opening and grading of roads, constructions of classrooms, construction of latrines and laying of culverts among others.
4. The bid notice did not indicate where the solicitation documents would be picked and delivered.
5. Kirima Sub-County Chief, Mr. Methodius Byakatonda issued 46 solicitation documents before publishing the bid notice. The solicitation documents were issued between 4th and 7th November 2019 while the bid notice was published on 8th November 2019.
6. Kirima Sub-County Chief, Mr. Methodius Byakatonda received 38 bids before publishing the bid notice. The bids were received between 4th and 7th November 2019 while the bid notice was published on 8th November 2019.
7. A total of 47 bids were received yet only 46 solicitation documents were issued. QuacilProjekt Limited did not submit a bid formally to the Entity in the procurement for opening and grading of Buhamba Road but its bid was evaluated and awarded the contract at UGX 13,994,400.
8. With exception of the Sub -County Chief Kirima , no other person witnessed bid opening for all the procurements worth UGX 341,831,448 contrary to Regulation 71 (2) of the LG (PPDA) Regulations, 2006.

9. In the procurement for opening and grading of Ruheeza Road, 2 bids were received from Exponential Ventures Limited and QuacilProjekt Limited, according to the record of receipt of bids but they were not indicated on the record of bid opening. However, they were evaluated and award made to QuacilProjekt Limited at UGX 26,126,100.
10. In the procurement for protection of 1 spring at Ruheeza Cell, the bids of MMKET Technical Services Ltd, CWWE Services Ltd and PhilomonAriyo were opened but the firms were neither issued with solicitation documents nor their bids received officially.
11. The received bids were not stamped and signed by the Chairperson of bid opening, Mr. Methodius Byakatonda in accordance with Regulation 71 (8,9 and 10).

Evaluation

1. There was no evidence confirming that the 3 community representatives who participated in evaluation had the technical competencies to conduct evaluation of bids namely Mr. Davis Karamira (Rubimbwa Parish), Mr. Bernard Busyarimwe (Rutungunda Parish and Mr. SylvesterKatsigazi (Bushura Parish).
2. The Evaluation Committee used a wrong evaluation methodology to evaluate bids. The merit point system was used to evaluate works procurements instead of technical compliance selection. The genesis of the merit point system could not be explained since the solicitation document did not have an evaluation criterion. However, the evaluation criteria were developed during evaluation of bids and were ambiguous and not measurable (without a sub-criteria).
3. The following inconsistencies were further noted at evaluation:
 - i. In the procurement for opening and grading of Buhamba road, bids by QuacilProjekt Limited and Shanak Investment Limited were not officially received and opened but these were evaluated and contract awarded to QuacilProjekt Limited at UGX 13,994,400.
 - ii. Mushabe General Contractors was recommended for award of tender for construction of a 3-stances VIP latrine at Kitariro Primary School at UGX 12,973,500 but the bidder was not issued with a solicitation document.
 - iii. Due to absence of the evaluation criteria, out of the 16 projects advertised and attracting 21 bidders who paid between UGX 50,000 and UGX 200,000 as non-refundable fees, only 3 firms were awarded the lion's share of the tenders as shown here below:

Table 10: Bidders awarded the lion's share of the tenders

No.	Bidder	Number of Projects Awarded	Total Contract Value (UGX)
1.	QuacilProjekt Limited	7	144,280,610
2.	MKET Technical Services Ltd	6	118,749,140
3.	CWWE Services (U) Ltd	4	23,941,000
	Total	16	286,970,750

Contracting and contract management

1. All the 18 contracts worth UGX 337,440,671 were irregularly signed by Mr. Methodius Byakatonda, Kirima Sub-County Chief on 11th December 2019 instead of the Accounting Officer.
2. There was appointment of contract supervisors for the projects and as a result, there were no contract management records. Absence of contract supervisors would have affected contract execution since no particular person is appointed to supervise the works.

6.0 RECOMMENDATIONS

In accordance with Section 9 of the PPDA Act, 2003 and in light of the above findings, the Authority recommends that:

1. The Permanent Secretary, Ministry of Local government should task the Accounting Officer, then to explain as to why disciplinary action should not be taken against him for use of the Uganda Wildlife Authority Revenue Sharing Policy Guidelines, 2013 not accredited by the Authority contrary to Section 40A of the PPDA Act, 2003.
2. The Sub-County Chief, Mr. Methodius Byakatonda, should show cause as to why the Accounting Officer should not take appropriate disciplinary action for the following irregularities:
 - a. Failure to follow the Uganda Wildlife Authority Revenue Sharing Policy Guidelines, 2013 and the Local Government (PPDA) Regulations, 2006 in the acquisition of community services/works/supplies worth UGX 337,440,671;
 - b. Use of the Revenue Sharing Policy Guidelines 2013 not accredited by the Authority which had structures, methods and thresholds that were running parallel to the PPDA Act, 2003 and the Local Governments (PPDA) Regulations, 2006;
 - c. Issue of 46 solicitation documents before publishing the bid notice; and
 - d. Failure to contract providers in a manner that promotes fairness, transparency, accountability and competition contrary to Section 45 and 46 of the PPDA Act, 2003.
3. The Evaluation Committee should show cause as to why the Accounting Officer should not take appropriate disciplinary action against them for use of the wrong evaluation methodology to evaluate bids i.e. use of the merit point system to evaluate works procurements instead of technical compliance selection.
4. In order to realise value for money, the Accounting Officer should transfer procurements handled by the Sub-Counties using funds from Uganda Wildlife Authority Revenue Sharing Scheme to the Procurement and Disposal Unit until accreditation is sought from PPDA by UWA.