



**THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC  
ASSETS AUTHORITY**

**REPORT ON COMPLIANCE AUDIT FOR MINISTRY OF  
TOURISM, WILDLIFE AND ANTIQUITIES FOR FINANCIAL  
YEAR 2021/2022**

**SEPTEMBER 2022**

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## Acronyms

AO	Accounting Officer
CC	Contracts Committee
EC	Evaluation Committee
FY	Financial Year
HPDU	Head, Procurement and Disposal Unit
MOTWA	Ministry of Tourism, Wildlife and Antiquities
NOBEB	Notice of the Best Evaluated Bidder
PDE	Procuring and Disposing Entity
PDU	Procurement and Disposal Unit
PPDA	Public Procurement and Disposal of Public Assets Authority
RFP	Request for Proposals
RFQ	Request for Quotation
SBD	Standard Bidding Document

## **EXECUTIVE SUMMARY**

The Public Procurement and Disposal of Public Assets Authority (PPDA) conducted a compliance audit of your Entity that covered ten (10) procurement transactions for the Financial Year 2021/22. The overall objective of the audit was to assess and establish the degree of compliance of Ministry of Tourism, Wildlife and Antiquities' procurement and disposal system and processes with the provisions of the PPDA Act, 2003 and PPDA Regulations, 2014 and assess the level of procurement performance over the period under review.

From the findings of the procurement and disposal audit exercise, the performance of Ministry of Tourism, Wildlife and Antiquities (MOTWA) for the Financial Year 2020/21 was **highly satisfactory** with an overall weighted average risk rating of **9.25%**. The risk rating was weighted to determine the overall risk level of the Entity as detailed in Chapter 3 of the audit report.

### **Despite the highly satisfactory performance, the following exceptions were noted:**

1. Failure to fully adhere to the evaluation criteria in four (4) procurements worth UGX 363,863,077 which could result in award to providers that do not meet the Entity's needs.
2. Delays in meeting deliverable by the providers in three (3) procurements worth UGX 1,142,912,411. Delayed in contract implementation delays service delivery.
3. Incomplete contract management records which affect the audit trail.

In light of the above, the Authority recommends the following:

1. The Evaluation Committee should ensure that the evaluation criteria are fully adhered to as required by Regulation 7 (2) of the PPDA (Evaluation) Regulations, 2014.
2. Contract Managers should ensure that contract supervision is effectively carried out to ensure that terms and conditions of the contract are met as required under Regulation 53 (1) a & b of the PPDA (Contracts) Regulations, 2014.
3. The Accounting Officer should ensure that User Departments provide contract management records to the Procurement and Disposal Unit to enable effective contract monitoring.

## CHAPTER 1: INTRODUCTION

### 1.1 Structure of the Entity

The mandate of the Ministry of Tourism, Wildlife and Antiquities is derived from Article 189 and Sixth Schedule the Constitution of the Republic of Uganda (1995), Uganda Wildlife Act Cap 200, Uganda Tourism Act, 2008, Historical Monuments Act 1967, Universities and Other Tertiary Institutions Act, 2006. Their mandate is to formulate and implement policies, strategies, plans and programs that promote tourism, wildlife and cultural heritage conservation for socio-economic development and transformation of the country.

According to Section 26 of the PPDA Act, 2003, the overall responsibility for the successful execution of procurement, disposal and contract management in the Procuring and Disposing Entity is the Accounting Officer. The Accounting Officer of the Ministry during the financial year under review was Mrs. Doreen S. Katusiime.

The Permanent Secretary/Secretary to Treasury of Ministry of Finance, Planning & Economic Development approved the following members of the Contracts Committee who also acted during the period under review:

**Table 1: List of Contracts Committee members**

No	Name	Date of Appointment	Committee Position
1.	Dr Akankwasah Barirega	31 <sup>st</sup> May, 2019	Chairperson
2.	Ms Muganwa Immaculate	8 <sup>th</sup> Nov 2018	Secretary
3.	Ms Nantamu Oliver	31 <sup>st</sup> May, 2019	Member
4.	Ms Mwanja Nkaale Rose	31 <sup>st</sup> May 2019	Member
5.	Mr Kigozi Jimmy	31 <sup>st</sup> May 2019	Member

According to Section 31 (a) of the PPDA Act, 2003 all procurement or disposal activities of the Procuring and Disposing Entity except adjudication and the award of contract are to be managed by the Procurement and Disposal Unit. The Procurement and Disposal Unit during the financial year under review was headed by Mr. Paddy Sekitto.

### 1.2 Background

The Public Procurement and Disposal of Public Assets Authority carried out the compliance audit of Ministry of Tourism, Wildlife and Antiquities that covered a representative sample of ten (10) procurement transactions under the Financial Year 2021/22. The audit involved a review of the procurement structures, procurement processes, as well as contract performance following the provisions of the Public Procurement and Disposal of Assets Act, 2003 and Central Governments (PPDA) Regulations, 2014.

### 1.3 Main Objectives

The overall objective of the compliance audit was to assess and establish the degree of compliance of Ministry of Tourism, Wildlife and Antiquities' procurement system and processes with the provisions of the PPDA Act, 2003 and the Central Governments (PPDA) Regulations, 2014 and assess the level of procurement and disposal performance over the period.

The specific objectives were to establish:

- The level of compliance by the Entity with the general provisions of the PPDA Act and Regulations;
- The level of compliance with the PPDA Act, 2003 in the conduct of procurement and disposal activities; and
- The level of efficiency and effectiveness in contract implementation.

### 1.4 Compliance Audit Scope

The audit involved a review of the procurement process, general compliance issues and contract implementation on sample basis. The audit covered a representative sample of ten (10) procurement transactions under Financial Year 2021/22. The list of sampled transactions is contained in Appendix 2.

**Table 2: The Distribution of the Transaction Population and Sample**

Population			Sample		Percentages	
Procurement Method	Number	Value (UGX)	Number	Value (UGX)	% Number	% Value
Request for Quotation/Proposals	50	367,000,000	3	121,171,000	6	33
Open Domestic Bidding	3	5,188,361,833	3	5,188,361,833	100	100
Request for Proposal without EOI	3	285,000,000	1	110,000,000	33	38.3
Restricted Domestic Bidding	4	889,500,349	3	773,435,652	75	86.9
Micro Procurement Method	10	45,450,000	0	0	0	0
<b>Total</b>	<b>70</b>	<b>6,775,312,182</b>	<b>10</b>	<b>6,193,968,485</b>	<b>14.3</b>	<b>91.4</b>

### 1.5 Compliance Audit Methodology

Records and documents for each sampled procurement and disposal transaction were examined and relevant evidence obtained to derive audit conclusions. This involved a review of the Entity's procurement planning, initiation, bidding, evaluation, contract placement and implementation.

During the exercise, the auditors held interviews with the staff from the Procurement and Disposal Unit (PDU) and User Departments that were necessary in obtaining crucial qualitative information about the internal control system and processes in place.

The audit exercise commenced with an entry meeting on 27<sup>th</sup> July 2022. A debrief meeting to clear all pending issues that arose during the audit was held with the Entity's representatives on 19<sup>th</sup> August 2022 before the auditors could embark on preparation of the management letter. Management responses were submitted on 9<sup>th</sup> September 2022.

The report presents the key findings and conclusions arising from the compliance audit.

## CHAPTER TWO: FINDINGS OF THE AUTHORITY

### 2.1 Compliance by the Entity with the general provisions of the PPDA Act, 2003 and Regulations, 2014

#### 2.1.1 Procurement plan implementation

Assessment of the procurement plan and utilization of funds revealed that the procurement plan implementation rate of the Entity for FY 2021/22 was 88.3% as summarized in Table 3 below:

**Table 3: Analysis of procurement spend for FY 2021/22**

Total procurement plan value inclusive of VAT (UGX)	9,567,900,000
Total procurement spend value inclusive of VAT (UGX)	8,450,320,000
Procurement plan implementation rate (%)	88.3%
Variance (UGX)	1,117,580,000

#### **Implication**

Procurements worth UGX 1,117,580,000 were not implemented which deprived service delivery to the intended beneficiaries.

#### **Recommendations**

The Authority noted the Entity's response and recommends as follows:

- i) The Accounting Officer should regularly conduct or designate persons to conduct a review of the procurement plan to harmonize it with the existing circumstances at the Entity.
- ii) In the event that amendments are made to the departmental work plans due to prevailing circumstances, User Departments should inform the Head Procurement and Disposal Unit to update the procurement plan in accordance with Section 58 (4) of the PPDA Act, 2003.

#### Management response

*Management took note of the auditors' recommendations to regularly amend the procurement plan wherever circumstances change. However, at times budget cuts are communicated late in quarter four when it is not possible to make adjustments. Moreover, such late cuts were not only unique to MTWA.*

#### 2.1.2 Implementation of recommendations from the compliance audit for FY 2020/2021

The Authority conducted a compliance audit for the financial year 2020/2021. Out of the four (4) recommendations made, three (3) were fully implemented representing 75% while one (1) was partially implemented, representing 25%. These are listed in Table 4 below:

**Table 4: Status of implementation of Compliance Audit Recommendations for FY 2020/21**

No.	Recommendation	Status of Implementation
1.	The Accounting Officer should regularly conduct or designate persons to conduct a review of the procurement plan to harmonize it with the existing circumstances at the Entity.	Partially Implemented

No.	Recommendation	Status of Implementation
	In the event that amendments are made to the departmental work plans due to prevailing circumstances, User Departments should inform the Head Procurement and Disposal Unit to update the procurement plan in accordance with Section 58 (4) of the PPDA Act, 2003.	
2.	The Accounting Officer should ensure that market price assessment for consultancy services is conducted in accordance with Regulation 5 (1) of the PPDA (Procurement of Consultancy services) Regulations, 2014 and Regulation 5 of the PPDA (Rules and Methods for procurement of Supplies, Works, and Non-Consultancy Services) Regulations, 2014.	Implemented
3.	The Accounting Officer, Procurement and Disposal Unit and User Departments should conduct procurements in a manner that promotes economy and efficiency in public procurement in accordance with Section 48 of the PPDA Act, 2003	Implemented
4.	The Heads of User Departments should ensure that Contract Managers are nominated and appointed before commencement of the contract to allow for effective contract supervision.	Implemented

#### **Implication**

Failure to fully implement the Authority's recommendations affects the performance of the procurement and disposal function in the Entity.

#### **Recommendation**

The Accounting Officer should ensure that all the Authority's recommendations are fully implemented in accordance with Section 9 (1) (a) of the PPDA Act, 2003.

#### **Management response**

*Management noted the finding and stated that the Ministry would always endeavor to implement PPDA Recommendations. As a way forward, the Entity would be holding quarterly procurement review meetings to analyze and update the level of implementation of its procurement plan.*

## 2.2 Compliance with the PPDA Act, 2003 and Regulations, 2014 in the conduct of procurement

### 2.2.1 Incomplete requisitions

It was observed in the following procurements worth UGX 341,580,400, that the funds availability section was left blank on the form 5 as shown in Table 5 below:

**Table 5: Procurements where the requisition form was not complete**

No.	Subject of Procurement	Amount (UGX)
1	Designing, fabrication and installation of signages and printing of 10,000 brochures for sites (Lot1) and services to design, print, produce and install directional, informational and safety signages at tourism sites of Arua in Pader and Sipi in Kapchorwa Districts (Lot 2)	103,580,400
2	Procurement of a double cabin pick-up: MoTWA/SUPLS/21-22/00124	238,000,000
<b>TOTAL</b>		<b>341,580,400</b>

#### **Implication**

Incomplete information on availability of funds could result in over expenditure leading to creation of domestic arrears.

#### **Recommendation**

The Authority noted the Entity's response and recommends that the Head of Department should ensure that the funds availability section is completed in order to inform the Accounting Officer and enable proper decision making.

#### **Management Response**

*Management stated that funds availability was considered before any commitments were made. Accounts Section was estopped from processing anything unbudgeted for or lacking adequate funds. This prevents any over commitment. However, in the instant case the available funds and budget item to charge had been indicated in the User's requisition Internal Memo and work plan which were attached to the PP form 5. In all the cases sampled by the Auditors, bidders were paid within the estimated budget. The ministry shall encourage users to always have this section filled in on the PP form 5.*

### 2.2.2 Evaluation Criteria not fully adhered to

The Authority observed in the following four (4) procurements worth UGX 363,863,077, the Evaluation Committee did not fully adhere to the evaluation criteria set in the bidding document. The procurements are listed in Table 6 below:

**Table 6: Procurements where the Evaluation criteria was not fully adhered**

No.	Subject of Procurement	Observations	Management Response
1.	Procurement of laptops and accessories: MoTWA/SUPLS/21-22/00052 awarded to Keymark Investments Ltd at UGX 172,250,677	<p>The following exceptions were noted:</p> <ul style="list-style-type: none"> <li>ITB 11 (h) in the bid data sheet required bidders to submit a Tax Registration Certificate, Articles and Memorandum of Association, evidence of experience of the firm and NITA-U certificate, however, these items were not assessed at the preliminary evaluation stage.</li> <li>Syntech Associates Ltd submitted an expired Trading License but was marked as compliant at evaluation. The certificate was issued on 1<sup>st</sup> June 2020 and expiring on 29<sup>th</sup> May 2021, whereas bids were issued on 30<sup>th</sup> September 2021.</li> </ul>	Management will undertake training for members of the Evaluation Committee.
2.	Designing, fabrication and installation of signages and printing of 10,000 brochures for sites (Lot1) and services to design, print, produce and install directional, informational and safety signages at tourism sites of Arua in Pader and Sipi in Kapchorwa Districts (Lot 2)	Three (3) out of the four (4) bidders (Techoba holdings Ltd, Kabon U Ltd, and Kirangi Holdings Ltd) did not submit a Trading License, Certificate of Incorporation and Tax Registration Certificate but were assessed as compliant and proceeded to the financial evaluation stage.	<i>These firms were pre-qualified with PPDA and therefore such preliminary requirements were considered immaterial at evaluation. However, in future the ministry will ensure that such documents are not stated in the bidding documents. The BEB was however fully compliant.</i>
3.	Procurement of ICT equipment MoWTA/SUPLS/21-22/00109 awarded to Luke Moore Consulting Ltd Ugx 23,482,000	<p>The following exceptions were noted:</p> <ul style="list-style-type: none"> <li>Acquisant Technologies Ltd did not attach a Tax Registration Certificate and Powers of Attorney. In addition, the NITA Certificate attached had expired</li> </ul>	<i>These firms are prequalified by the Entity and therefore there was no need for re- assessing them. These documents are available on record.</i>

No.	Subject of Procurement	Observations	Management Response
		<p>in December 2021 by the time of bidding in February 2022 but was marked as compliant and proceeded to the financial evaluation stage.</p> <ul style="list-style-type: none"> <li>Telekonet did not attach a Trading License but was marked compliant.</li> </ul>	<p><b><u>PPDA Response</u></b>  <i>The Authority Noted the Entity's response, however maintains the finding because the criteria referred to was a requirement in the Bidding Document and therefore bidders should have provided valid documentation at bidding.</i></p>
4.	<p>Supply of a heavy duty all-in-one printer MoTWA/SUPLS/21-22/00068  Awarded to Haute Group Ltd at UGX 64,550,000</p>	<p>The following exceptions were noted:</p> <ul style="list-style-type: none"> <li>The bidding document listed a copy of the NITA-U certification among the documents evidencing eligibility but this item was not marked during evaluation.</li> <li>MFT Solutions and KKN Enterprises Ltd did not have a NITA-U certificate but they passed the preliminary and technical evaluation stages.</li> </ul>	<p><i>The BEB had a valid NITA-U Certificate</i></p> <p><b><u>PPDA Response</u></b>  <i>The assessment was on the other bidders that submitted documents (or the lack thereof) but were assessed as compliant by the Evaluation Committee.</i></p>

### Implication

Passing non-compliant bidders gives false indication of competition levels in the bidding process.

### Recommendation

The Authority noted the Entity's response but finds it unsatisfactory and maintains the finding and recommends that the Chairperson of the Evaluation Committee should ensure that the evaluation criteria is fully adhered to as required by Regulation 7 (2) of the PPDA (Evaluation) Regulations, 2014.

#### 2.2.3 Failure to undertake post-qualification

The bidding document issued for the procurement of works for the upgrading and construction of Kagulu Hill in Buyende District Phase II: MOTWA/WRKS/21-22/00115 worth UGX 497,604,575 indicated that post qualification would be undertaken on the following areas, however this was not done:

- i. Legal requirements to establish ownership and registration;

- ii. Previous works undertaken; and
- iii. Bidder's financial contracting capacity.

**Implication**

Failure by the Evaluation Committee to confirm, verify, validate and ascertain the worthiness of all the statements made and documents submitted by the bidder could lead to contracting with a provider who may not fulfill the contractual obligations.

**Recommendation**

The Authority noted the Entity's response however maintains the finding and recommends that the Evaluation Committee should ensure that post-qualification if stated as a requirement in the bidding document, this is undertaken.

**Management Response**

*Management stated that timing in terms of budget execution was running short given the fact that funds had been received late. The Entity was dealing with a known company with known experience for which post qualification was not vital and would only cause delays and jeopardize the delivery of the project. However, the contractor executed the assignment successfully.*

**2.3 Efficiency and effectiveness in contract implementation**

**2.3.1 Evidence of Receipt of NOBEB by Bidders**

In the following procurements three (3) procurements worth UGX 161,201,400, there was no evidence that the unsuccessful bidders received the Notice of best Evaluated Bidder (NoBEB). The procurements are listed in Table 7 below:

**Table 7: Procurements where evidence of receipt of NOBEB was not availed**

No.	Subject of Procurement	Amount (UGX)
1.	Procurement of office furniture Lot 1 and Curtain blinds Lot 11: MoTWA/SUPLS/21-22/00091/1-2	34,139,000
2.	Designing, fabrication and installation of signages and printing of 10,000 brochures for sites (Lot1) and services to design, print, produce and install directional, informational and safety signages at tourism sites of Arua & Pader and Sipi in Kapchorwa Districts (Lot 2)	103,580,400
3.	Procurement of ICT equipment: MoWTA/SUPLS/21-22/00109	23,482,000
	<b>TOTAL</b>	<b>161,201,400</b>

**Implication**

This denies aggrieved bidders the right to appeal the award decision. It also denies bidders information on why they were unsuccessful which can help them improve future submissions.

**Recommendation**

The Authority noted the Entity’s response, however maintains the finding given that evidence that all effort to demonstrate that all participating bidders received the NOBEB was not availed. The Authority therefore recommends that the Procurement and Disposal Unit should ensure that all participating bidders are issued a copy of the Notice of Best Evaluated Bidder (NoBEB) and proof of this receipt is obtained and a record kept on file.

**Management Response**

Management stated that the NOBEB was displayed on the Notice Board and the bidders were always called upon to pick them. However, it needs to be observed that once bidders receive information that they are unsuccessful often don’t turn up to pick the hardcopy of the NOBEB.

**2.3.2 Delayed deliverables**

Delays in contract implementation were observed in the following three (3) procurements worth UGX 1,142,912,411 as shown in Table 8:

**Table 8: Procurements with delayed Contract Implementation**

No.	Subject of Procurement	Observations on delays at contract implementation.			
		No.	Deliverable	Time frame as per contract	Actual deliverable time
1.	Non-Consultancy Services to carry out Cadastral survey for 40 heritage sites: MoTWA/Ncons/21-22/00075	1	Inception Report	One (1) month after contract signing which would have been 14 <sup>th</sup> April 2022	1 <sup>st</sup> June 2022, hence a delay by six weeks.
2.	Provision of Consultancy Services for formulation of Wildlife Concession Regulation Motwa/Cons/21-22/00057	No.	Deliverable	Expected deliverable timeframe	Actual delivery
		1	Inception Report	Within two weeks from contract signing (22 <sup>nd</sup> February 2022)	Delivered on 28 <sup>th</sup> March 2022, hence a delay of two weeks.
		2	Report on consultations with stakeholders	Within two months after contract signing	Delivered on 1 <sup>st</sup> June 2022, hence a six weeks delay.

No.	Subject of Procurement	Observations on delays at contract implementation.
3.	Designing, fabrication and installation of signages and printing of 10,000 brochures for sites (Lot1) and services to design, print, produce and install directional, informational and safety signages at tourism sites of Arua in Pader and Sipi in Kapchorwa Districts (Lot 2)	Haheh Contractors Ltd took six (6) months instead of the required two (2) months to complete the work; Lot 1 and 2 were ordered on 6 <sup>th</sup> and 29 <sup>th</sup> December 2021 respectively but delivery was on 13 <sup>th</sup> June 2022.

#### **Implication**

Delayed contract implementation affects service delivery.

#### **Recommendation**

Contract Managers should ensure that contract supervision is effectively carried out to ensure that terms and conditions of the contract are met as required under Regulation 53 (1) a & b of the PPDA (Contracts) Regulations, 2014.

#### **Management Response**

The Entity took note of the recommendation. Training had been planned for Heads of Departments and other Users to emphasize the importance of effective contract management and ensure timely implementation of the contract.

#### **2.3.3 Records not availed for review**

The following three (3) records were not availed for review. The procurements are listed below in Table 9:

**Table 9: Records not availed at the time of the Audit**

No	Subject of Procurement	Records not availed
1	Non-consultancy services to carry out Cadastral survey for 40 heritage sites MoTWA/Ncons/21-22/00075	No record of payment made to the consultant.
2	Provision of Consultancy Services for Formulation of Wildlife Concession Regulation: MOTWA/Cons/21-22/00057	<ul style="list-style-type: none"> <li>• There were no reports prepared by the Contract Manager.</li> <li>• There was no record of payment.</li> </ul>
3	Designing, fabrication and installation of signages and printing of 10,000 brochures for sites (Lot1) and services to design, print, produce and install directional, informational and safety	<ul style="list-style-type: none"> <li>• No record of payment.</li> </ul>

No	Subject of Procurement	Records not availed
	signages at tourism sites of Arua in Pader and Sipi in Kapchorwa Districts (Lot 2)	

**Implication**

Incomplete records affect the audit trail.

**Recommendation**

The Accounting Officer should ensure that User Departments provide contract management records to the Procurement and Disposal Unit to enable effective contract monitoring.

***Management Response***

*The Entity took note of the recommendation. Trainings have been planned for Heads of Departments and other Users to emphasize the importance of effective contract management and ensure timely implementation of the contract.*

### CHAPTER THREE: OVERVIEW OF THE PERFORMANCE OF THE ENTITY

This section will present graphically the scores per area assessed under different compliance audit questions

#### 3.1. Overall Compliance Audit Conclusion

The performance of Ministry of Tourism, Wildlife and Antiquities for the Financial Year 2021/22 was **highly satisfactory** with overall weighted average risk rating of **9.25%**.

The risk rating is as follows:

**Table 10: Risk Rating**

Risk Rating	Description of Performance
0-20%	Highly Satisfactory
21-50%	Satisfactory
51-80%	Unsatisfactory
80-100%	Highly Unsatisfactory

#### Entity's Performance

The risk rating was weighted to determine the overall risk level of the Entity. The weighting was derived using the average weighted index as shown below: -

**Table 11: Risk rating**

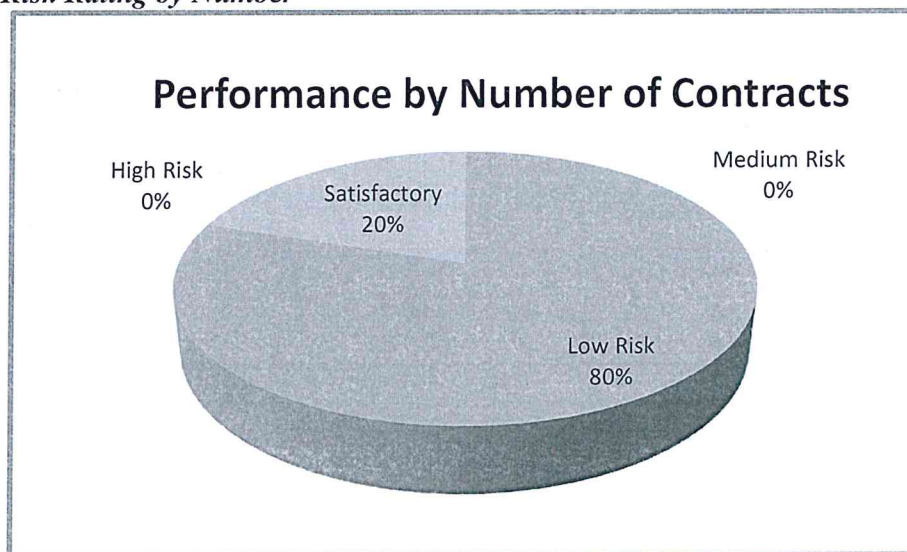
Risk category	No.	No. %	Value (UGX)	Value %	Weights	Total weighted Average	
						By No.	By Value
High	0	0	0	0	0.6	0	0
Medium	0	0	0	0	0.3	0	0
Low	8	80	1,934,938,663	31	0.1	8	3.1
Satisfactory	2	20	4,259,029,822	69	0	0	0
<b>Total</b>	<b>10</b>	<b>100</b>	<b>6,193,968,485</b>	<b>100</b>	<b>1.0</b>	<b>8</b>	<b>3.1</b>

$$\text{Weighted Average (By no.)} = \frac{\sum \text{Weighted Score}}{60} \times 100 = \frac{8}{60} \times 100 = 13.3\%$$

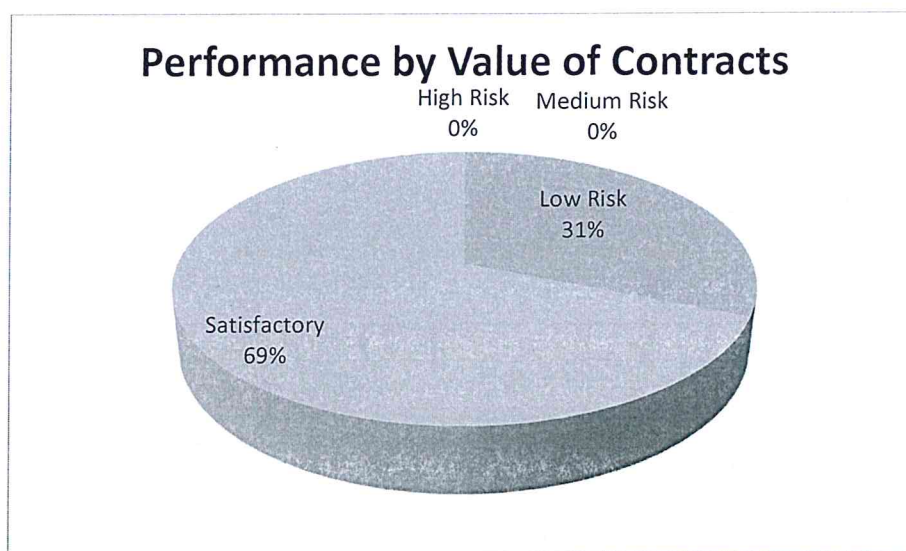
$$\text{Weighted Average (By Value)} = \frac{\sum \text{Weighted Score}}{60} \times 100 = \frac{3.1}{60} \times 100 = 5.2\%$$

$$\text{Combined Weighted Average} = \frac{13.3 + 5.2}{2} = 9.25\%$$

*Figure 1: Risk Rating by Number*



*Figure 2: Risk Rating by Value*



Ministry of Tourism, Wildlife and Antiquities should implement the recommended action plan on page 19.

### 3.2: Recommended Action Plan

Ministry of Tourism, Wildlife and Antiquities should implement the following recommendations within the timeframe given in order to improve its performance in Procurement and Disposal.

**Table 12: Action plan**

No.	Recommended Action	Target Date
1	The Chairperson of the Evaluation Committee should ensure that the evaluation criteria is fully adhered to as required by Regulation 7 (2) of the PPDA (Evaluation) Regulations, 2014.	Immediate
2	Contract Managers should ensure that contract supervision is effectively carried out to ensure that terms and conditions of the contract are met as required under Regulation 53 (1) a & b of the PPDA (Contracts) Regulations, 2014.	Continuous
4	The Accounting Officer should ensure that User Departments provide contract management records to the Procurement and Disposal Unit to enable effective contract monitoring.	Continuous

## Appendix 1: Summary of case by case

### LOW RISK PROCUREMENTS

No	Subject of procurement	Reasons for low risk rating
1.	Consultancy services for formulation of wildlife concession Regulations	<ul style="list-style-type: none"> <li>• Delivery of inception report delayed by 2 weeks.</li> <li>• Delivery of draft report by 6 weeks.</li> <li>• Contract management report on implementation of the consultancy not prepared by the Contract Manager.</li> </ul>
2.	Procurement of ICT equipment	<ul style="list-style-type: none"> <li>• Evaluation criteria were not fully adhered to by the Evaluation Committee.</li> <li>• Evidence of receipt of NOBEB by all participating bidders not availed.</li> </ul>
3.	Consultancy services for cadastral survey of 40 tourism sites	<ul style="list-style-type: none"> <li>• Delivery of inception report delayed by 6 weeks.</li> <li>• Record of payment not availed.</li> </ul>
4.	Consultancy services for cadastral survey of 40 tourism sites	<ul style="list-style-type: none"> <li>• Post qualification not undertaken on the Best Evaluated Bidder.</li> </ul>
5.	Procurement of office furniture Lot 1 and Curtain blinds Lot 11	<ul style="list-style-type: none"> <li>• Evidence of receipt of NOBEB by all participating bidders not availed.</li> </ul>
6.	Supply of an all-in-one printer	<ul style="list-style-type: none"> <li>• Evaluation criteria were not fully adhered to by the Evaluation Committee.</li> </ul>
7.	Designing, fabrication and installation of signages and printing of brochures	<ul style="list-style-type: none"> <li>• Funds availability section was not filled by the User Department.</li> <li>• Evaluation criteria were not fully adhered to by the Evaluation Committee.</li> <li>• Delayed implementation by 4 months,.</li> </ul>
8.	Laptops and accessories	<ul style="list-style-type: none"> <li>• Evaluation criteria were not fully adhered to by the Evaluation Committee.</li> </ul>

### SATISFACTORY CASES

Consultancy services for formulation of wildlife concession Regulations
Procurement of a double cabin pick-up

Appendix 2: List of sampled procurements for Ministry of Tourism, Wildlife and Antiquities for Financial Year 2021/22

S/NO	REFERENCE NUMBER	SUBJECT OF PROCUREMENT	METHOD OF PROCUREMENT	PROVIDER	CONTRACT VALUE (UGX)	RATING
1.	MoTWA/CONS/21-22/00057	Consultancy services for formulation of wildlife concession Regulations	RFP Expression of Interest	Dulcet Ventures Ltd	110,000,000	Low
2.	MoTWA/SRVCS/21-22/00124	Procurement of a double cabin pick-up	Open Domestic Bidding	Maybach motors	238,000,000	Satisfactory
3.	MoTWA/SUPLS/21-22/00109	Procurement of ICT equipment	Request for Quotation	Luke Moore Consulting Ltd	23,482,000	Low
4.	MoTWA/SUPLS/21-22/00075	Consultancy services for cadastral survey of 40 tourism sites	Open Domestic Bidding	Alvin and partners	929,332,011	Low
5.	MoTWA/CONS/21-22/000115	Construction works at Kagulu, Buyende district	Restricted Domestic Bidding	Roche world Ltd	497,604,575	Low
6.	MoTWA/WRKS/21-22/00063	Proposed construction works and landscaping for Mugaba palace Kamukuzi Mbarara city Phase III	Open Domestic Bidding	Block Technical Services Ltd	4,021,029,822	Satisfactory
7.	MoTWA/SUPLS/21-22/00091/1-2	Procurement of office furniture Lot 1 and Curtain blinds Lot 11	Request for Quotations	Footsteps furniture company Ltd	34,139,000	Low
8.	MoTWA/CONS/21-22/00068	Supply of an all-in-one printer	Request for Quotation	Haute Group Ltd	64,550,000	Low
9.	MoTWA/CONS/21-22/00061/1-2	Designing, fabrication and installation of signages and printing of brochures	Restricted Domestic Bidding	Haheh Contractors Ltd	103,580,400	Low
10.	MoTWA/SUPLS/21-22/00052	Laptops and accessories	Restricted Domestic Bidding	Kevmark Investments Ltd	172,250,677	Low
				<b>TOTAL</b>	<b>6,243,968,485</b>	

**Appendix 3: Risk Rating Criteria**

RISK	DESCRIPTION	AREA	IMPLICATION
<p><b>HIGH</b></p> <p>Such procurements were considered to have serious weaknesses, which could cause material financial loss or carry risk for the regulatory system or the entity’s reputation. Such cases warrant immediate attention by senior management.</p> <p>Significant deviations from established policies and principles and/or generally accepted industry standards will normally be rated “high”.</p>		<p><b>Planning:</b> Lack of or failure to procure within the approved plan</p>	<p>This implies emergencies and use of the direct procurement method which affects competition and value for money.</p>
		<p><b>Bidding Process:</b> Use of wrong/inappropriate procurement methods, failure to seek Contracts Committee approvals and usurping the powers of the PDU.</p>	<p>This implies use of less competitive methods which affects transparency, accountability and value for money.</p>
		<p><b>Evaluation:</b> Use of inappropriate evaluation methodologies or failure to conduct evaluation.</p>	<p>This implies financial loss caused by awarding contracts at higher prices or shoddy work caused by failure to recommend award to a responsive bidder.</p>
		<p><b>Record Keeping:</b> Missing procurement files and missing key records on the files namely; solicitation document, submitted bids, evaluation report and contract.</p>	<p>This implies that one cannot ascertain the audit trail namely; whether there was competition and fairness in the procurement process.</p>
		<p><b>Fraud/forgery:</b> Falsification of Documents</p>	<p>This implies lack of transparency and value for money.</p>
		<p><b>Contract Management:</b> Payment for shoddy work or work not delivered.</p>	<p>This implies financial loss since there has been no value for money for the funds spent and the services have not been received by the intended beneficiaries.</p>
<p><b>MEDIUM</b></p>	<p>Procurements that were considered to have weaknesses which, although less likely to lead to material financial loss or to risk damaging the regulatory system or the entity’s reputation, warrant timely management action using the existing management framework to ensure a formal and effective system of management controls is put in place. Such</p>	<p><b>Planning:</b> Lack of initiation of procurements and confirmation of funds.</p>	<p>This implies committing the Entity without funds thereby causing domestic arrears.</p>
		<p><b>Bidding Process:</b> Deviations from standard procedures namely bidding periods, standard formats, use of PP Forms and records of issue and receipts of bids, usage of non-pre-qualified firms and splitting procurement requirements.</p>	<p>This implies lack of efficiency, standardisation and avoiding competition.</p>

RISK	DESCRIPTION	AREA	IMPLICATION
	<p>procurements would normally be graded “medium” provided that there is sufficient evidence of “hands on management control and oversight” at an appropriate level of seniority.</p>	<p><b>Procurement Structures:</b> Lack of procurement structures</p>	<p>This implies lack of independence of functions and powers and interference in the procurement process.</p>
		<p><b>Record Keeping:</b> Missing Contracts Committee records and incomplete contract management records.</p>	<p>This implies that one cannot ascertain the audit trail namely; whether the necessary approvals were obtained in a procurement process.</p>
		<p><b>Contract and Contract Management:</b> Failure to appoint Contract Supervisors, failure to seek the Solicitor General’s approval for contracts above UGX. 200 million and lack of notices of Best Evaluated Bidders.</p>	<p>This leads to unjustified contract amendment and variations which lead to unjustified delayed contract completion and lack of value for money. Bidders are not given the right of appeal.</p>
<p><b>LOW</b></p>	<p>Procurements with weaknesses where resolution within the normal management framework is considered desirable to improve efficiency or to ensure that the business matches current market best practice. Deviations from laid down detailed procedures would normally be graded “low” provided that there is sufficient evidence of management action to put in place and monitor compliance with detailed procedures.</p>	<p><b>Planning:</b> Lack of procurement reference numbers.</p>	<p>This leads to failure to track the procurements which leads to poor record keeping.</p>
		<p><b>Bidding Process:</b> Not signing the Ethical Code of Conduct</p>	<p>This leads to failure to declare conflict of interest and lack of transparency.</p>

**SATISFACTORY**

Relates to following laid down procurement procedures and guidelines and no significant deviation is identified during the conduct of the procurement process based on the records available at the time.

