



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

**COMPLIANCE INSPECTION REPORT FOR MINISTRY OF INTERNAL AFFAIRS
FOR FINANCIAL YEAR 2021/2022**

OCTOBER 2022

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Acronyms

AO	Accounting Officer
CC	Contracts Committee
FY	Financial Year
HPDU	Head, Procurement and Disposal Unit
LPO	Local Purchase Order
MIA	Ministry of Internal Affairs
ODB	Open Domestic Bidding
PDE	Procuring and Disposing Entity
PDU	Procurement and Disposal Unit
PPDA	Public Procurement and Disposal of Public Assets Authority
RDB	Restricted Domestic Bidding
RFP	Request for Proposals
SBD	Standard Bidding Document
SPLS	Supplies
WRKS	Works

EXECUTIVE SUMMARY

The Public Procurement and Disposal of Public Assets Authority carried out a compliance inspection on the procurement and disposal activities of Ministry of Internal Affairs. The exercise covered a sample of ten (10) procurement transactions carried out during the Financial Year 2021/2022. The compliance inspection exercise involved a review of the procurement system, procurement processes following the Public Procurement and Disposal of Assets Act, 2003 and Regulations, 2014.

From the findings of the compliance inspection exercise, the summary performance of the Entity revealed an aggregate risk rating of **19.1%** which is **satisfactory** performance.

Despite the satisfactory performance, the following key exceptions were noted:

1. Failure to fully implement the Entity's procurement plan with an absorption rate of only 71.2% and a variance of UGX 3,068,402,876 hence denying services to the intended beneficiaries.
2. Contracts Committee usurped powers of the Procurement and Disposal Unit which implied lack of independence of functions in the procurement systems.
3. Overall delay of 69 days in the procurement of supply of 25 Motorcycles for the Directorate of Community Service worth UGX 198,900,000.
4. Anomalies at evaluation in the procurement of assorted covid protective and preventive materials for the Ministry of Internal Affairs worth 179,950,000 e.g passing of a non-compliant bidder and failure to adhere to evaluation criteria.
5. Signing contracts above the estimated price by UGX 425,030.6 in the procurement of supply of 85 smart phones for field monitoring of NFP activities at the Ministry of Internal Affairs worth UGX 71,825,030.6 which contributes to accumulation of domestic arrears.

The Authority recommends that:

1. The Accounting Officer and management should constantly review the budget and procurement plan to ensure that all procurements planned and budgeted for are undertaken. Where need arises, a review of the plan and budget should be done in accordance with Section 58(4) of the PPDA Act, 2003.
2. The Accounting Officer should ensure that there is independence of functions in the process in accordance with Section 38 of the PPDA Act 2003.
3. The Accounting Officer should endeavour to eliminate delays in the Entity to ensure timely service delivery in accordance with Section 48 of the PPDA Act 2003.
4. Evaluation Committees should strictly adhere to the evaluation criteria outlined in the solicitation documents and firms that do not comply should be eliminated in accordance with Regulation 7 (1) of the PPDA (Evaluation) Regulations, 2014.
5. The Accounting Officer should ensure that contracted amounts do not unjustifiably vary over and above the estimated amounts. Where this is justifiable, there should be confirmation of additional funding by the Accounting Officer.

CHAPTER 1: INTRODUCTION

1.1 Background

The Public Procurement and Disposal of Public Assets Authority (PPDA) conducted a compliance inspection exercise on the procurement and disposal activities of Ministry of Internal Affairs. The exercise covered a sample of ten (10) procurement transactions carried out during Financial Year 2021/2022. The exercise involved a review of the procurement system, procurement processes following the Public Procurement and Disposal of Assets Act, 2003 and Regulations, 2014.

1.2 Objective of the compliance inspection

The primary objective of the exercise was to provide assurance on full and correct application of the PPDA Act, Regulations and Guidelines by Ministry of Internal Affairs.

The specific objectives were:

- a) To establish the level of compliance of the procurement and disposal activities with provisions of the PPDA Act, Regulations and Guidelines.
- b) To establish the level of efficiency in the conduct of the procurement and disposal process up to contracting in the Entity.
- c) To assess the level of achievement of Value for Money (efficiency, cost and effectiveness) in contract execution.

1.3 Structure of the Entity

Ms. Lynette B. Bagonza is the Accounting Officer of the Entity.

a. User Departments

The Entity is subdivided into the following departments:

Table 1: User Departments

No	Title of User Department
1.	Planning & Policy Department
2.	Finance & Administration Department
3.	Directorate of Community services (DCS)
4.	Prisons Authority
5.	Police Authority
6.	National Focal Point
7.	National Bureau for NGOs
8.	Government Security Office
9.	Human Resource Management
10.	Prevention of Trafficking Persons
11.	Northern Corridor integration Projects Peace & Security Cluster (NCIP/PSC)

b. Budget and source of funding

The Entity is funded by Government of Uganda. The Entity's procurement budget for the Financial Year 2021/22 was UGX 10,657,004,698.

1.4 Scope of the Compliance Inspection

PPDA carried out the procurement and disposal Compliance Inspection of Ministry of Internal Affairs from 28th July 2022 to 1st September 2022. The exercise covered a sample of ten (10) procurement transactions worth UGX 1,216,696,277 conducted during the FY 2021/2022, review of procurement structures and review of the procurement plan performance. The list of sampled transactions is contained in **Appendix 1**.

1.5 Methodology

Ministry of Internal Affairs was notified about the upcoming exercise on 18th July 2022. A sample of Ten (10) procurement transactions was selected based on stratified random sampling using Contracts Committee minutes, the contracts register, and monthly procurement and disposal reports.

Two (2) officers conducted the exercise under the supervision of the Manager Procurement Audit. During the exercise, the team examined records and documents for each of the ten (10) sampled procurement transactions. The team also reviewed the procurement plan for the Financial Year 2021/2022.

On completion of data collection, members of the team met with various stakeholders such as the Accounting Officer, Contracts Committee members, Procurement and Disposal Unit staff and User Department representatives to discuss and get clarifications on some of the preliminary findings.

CHAPTER TWO: FINDINGS OF THE AUTHORITY

2.1. To establish the level of compliance by the PDE with the general provisions of the PPDA Act, 2003 and Regulations, 2014

2.1.1. Procurement planning and procurement plan management

1. Procurement plan implementation rate

The table below summarizes information about the procurement plan, budget and utilization of funds for FY 2021/2022. The procurement plan implementation rate was 71.2% while the variance was worth UGX 3,068,402,876 as indicated below:

Table 1: Procurement Plan Implementation Rate

Analysis of procurement spend	
Total procurement plan value inclusive of VAT (UGX)	10,657,004,698
Total procurement spend value inclusive of VAT (UGX)	7,588,601,822
Procurement plan implementation rate (%)	71.2%
Implementation variance (UGX)	3,068,402,876

Implication

The Entity failed to deliver services worth UGX 3,068,402,876 to the intended beneficiaries.

Management Response

The Entity acknowledges the observation. The variance was as a result of budget cuts and hence funds were not released due to the covid-19 pandemic which affected most Government institutions and programmes.

Recommendation

The Accounting Officer should ensure that periodic reviews of the Entity's procurement plan are done where need arises in accordance with Section 58 (4) of the PPDA Act, 2003.

2.1.2 Implementation of previous compliance inspection recommendations for FY 2020/21

The Entity implemented all recommendations made from the previous compliance audit report for Financial Year 2020/21 that was issued in December 2021 except for one (1) recommendation which required the Accounting Officer to ensure that all procurements are conducted in a manner which promotes economy, efficiency and value for money in accordance with Section 48 of the PPDA Act, 2003.

Implication

Failure to fully implement previous audit recommendations affects the performance of the procurement and disposal function in the Entity.

Management Response

The Entity acknowledges the omission. Stakeholders in public procurement process cycle have been inducted and trained with the intention of improving general performance and adherence to the principles of public procurement.

Recommendation

The Accounting Officer should engage all stakeholders to develop strategies on implementation of all the Authority's recommendations in accordance with Section 9 (1) of the PPDA Act, 2003.

2.2. To establish the level of compliance with the PPDA Act, 2003 and Regulations, 2014 in the conduct of procurement and disposal activities

Procuring and Disposing Entities are required to apply the public procurement and disposal rules set out in the PPDA Act 2003, Regulations 2014 and Guidelines. The following areas of non-compliance were noted during the audit.

2.2.1 Contracts Committee usurped powers of the Procurement and Disposal Unit

In two (2) procurements worth UGX 143,045,700, the Contracts Committee irregularly performed roles and functions of the Procurement and Disposal Unit contrary to Section 38 of the PPDA Act 2003 that requires the Accounting Officer, Contracts Committee, Procurement and Disposal Unit, User Department and the Evaluation Committee to act independently in relation to their respective functions and powers.

Table 2

No.	Subject of Procurement	Contract Value (UGX)	Exception
1.	Repairs of existing CCTV System , Supply and installation of additional CCTV Cameras for MIA	96,895,700	Contracts Committee nominated and approved Mr. Noah Habanda as an additional member of the Evaluation Committee which was contrary with the submission from the Procurement and Disposal Unit that had nominated 3 members of the Evaluation Committee that comprised of Mr. Paul Kibogo, Mr. David Owinjo, Ms. Teddy Namugerwa.
2.	Provision of consultancy services for production of regulatory impact assessment to amend the community services Act 2000	46,150,000	Interference of the procurement functions by the Contracts Committee. The Contracts Committee nominated and approved Africa Development Associates to the shortlist of firms to participate in the process which was contrary to the submission from the Procurement and Disposal Unit that comprised of Esteem International Consultants (U) Ltd, Applied Research Bureau Ltd and Houston Executive Consulting Limited contrary to Regulation 12 (2) & (3) of the PPDA (Consultancy) Regulations, 2014.

Implication

Lack of independence of functions casts doubt on the level of transparency in the procurement function.

Management Response

The Entity acknowledges the audit finding and states that:

- 1. While the process might have been wrong, the Contracts Committee's actions were in good faith to have Mr. Noah Habanda as a technical person who manages the system despite being under the supervision of Mr. David Owinjo. Therefore, including him on the evaluation committee was intended to increase user participation in the whole system.*
- 2. Management takes note of this procedural anomaly. However, Management wishes to clarify that the spirit of including another bidder, Africa Development Associates, was to increase competition and also widen participation in whole procurement process.*

Recommendation

The Accounting Officer should caution the Contracts Committee to ensure that there is independence of functions in the process in accordance with Section 38 of the PPDA Act 2003.

2.2.2 Inadequate specifications

In the procurement for supply and installation of additional CCTV cameras and repair of existing CCTV system for MIA, the specifications issued to bidders were inadequate as bidders were not required to provide a cost for servicing and maintenance of cameras which should have been part of the contract as a fixed sum/ price to hedge against high maintenance costs of the cameras. The best evaluated bidder (A&S Electronics Ltd) in its bid committed to 1 years warranty and after sales services which upon expiry of the warranty would result into the company providing an additional cost for servicing and maintenance.

Implication

This puts the Entity at risk of incurring high maintenance costs that would have been hedged against by agreeing on fixed service costs.

Management Response

Management acknowledges the audit finding however the component of servicing and maintenance of CCTV Camera system was rectified at contract management and included in the contract under Special Conditions of the Contract (GCC29.3).

Recommendation

The Authority noted the Entity's responses and guides that the Procurement and Disposal Unit should include in the bidding document the provision for bidders to provide a fixed cost for servicing and maintenance at bidding to hedge against varying costs during contract management.

2.2.3 Delays in the procurement process

The Authority observed an overall delay of 69 days in the procurement of supply of 25 Motorcycles for the Directorate of Community Service worth UGX 198,900,000. A delay of 16 days was noted from funds approval by the Accounting Officer (27th October 2021) to PDU's submission to Contracts Committee for approval of the bidding document, method of procurement and Evaluation Committee members (17th November 2021).

In addition Eng. Namubiru Jolly delayed to sign the evaluation report by 32 days from the date of completion of the evaluation exercise. The Contracts Committee further delayed to approve the evaluation report and award of contract by 21 days which was contrary to Section 29 (2) of the PPDA Act 2003.

Implication

Delays in the procurement process creates lengthy lead times which consequently impedes service delivery.

Management Response

Management acknowledges the audit finding and wishes to clarify that:

- *The delay was at different stakeholder levels of management. Documents delayed in Accounts pending confirmation of funds availability that was obtained on 19/10/2021 as per Form 5.*
- *Delays with Ministry of Works and Transport in approving specifications of the Motorcycles which were obtained on November 2021.*
- *Lastly, Eng. Namubiru Jolly an official from Ministry of Works and Transport that was the technical person in the procurement had other engagements upcountry and thus delayed to give her technical input in the evaluation of bids.*
- *The Ministry's Contracts Committee had also expired and a new Contracts Committee was later constituted late March 2022.*

Recommendations

The Authority notes the Entity's response and recommends that:

- The Accounting Officer should endeavor to eliminate delays in the Entity to ensure timely service delivery in accordance with Section 48 of the PPDA Act 2003.
- The Accounting Officer can perform the role of the Contracts Committee where members have been nominated and are pending approval of the Secretary to the Treasury in accordance with Section 27 (2b) & (2c) of the PPDA Act 2003.

2.2.4 Irregularities during evaluation

The evaluation for the procurement of assorted covid protective and preventive materials for the Ministry of Internal Affairs by Rima E.A Limited worth 179,950,000 was marred with irregularities as detailed below:

- **Passing of a non-compliant bidder.** The Best Evaluated Bidder Rima E.A Limited was deemed compliant at preliminary evaluation yet they did not submit a tax clearance certificate as required in the bidding document. No efforts were made by the Evaluation Committee to request the bidder to submit the certificate which was in breach of Regulation 17 (6) of the PPDA (Evaluation) Regulations, 2014.
- **Failure to adhere to evaluation criteria.** Chemfarm worldwide Ltd submitted in its bid a trading license that had expired on 21st September 2021 yet bid closing of the procurement process was on 30th September 2021.

Implications

- Irregular practices during evaluation promotes unfairness and contravenes the principles of public procurement enshrined in Section 43 (a) and (b) of the PPDA Act, 2003 as amended.
- Unfairness during evaluation leads to award of contracts to non-compliant bidders.

Management response

Management acknowledges the audit finding. The Evaluation Committee made a typing error in the evaluation report where M/s Chemfarm worldwide Ltd was found responsive on a particular parameter. However the bidder had failed on other parameters and hence was declared non-compliant and eliminated at the preliminary evaluation stage.

Recommendation

Evaluation Committees should strictly adhere to the evaluation criteria outlined in the solicitation documents and firms that do not comply should be eliminated in accordance with Regulation 7 (1) of the PPDA (Evaluation) Regulations, 2014.

2.2.5 Variances between estimate and contract price without confirmation of additional funding

In the procurement of supply of 85 smart phones for field monitoring of NFP activities at the Ministry of Internal Affairs the contract signed with Lakhi Hightech Ltd worth UGX 71,825,030.6 was above the estimated price worth UGX 71,400,000 creating a variance of UGX 425,030.6. In addition there was no evidence that additional funding was confirmed to cater for the difference.

Implication

Variances between estimated and awarded contract prices may result into domestic arrears.

Management Response

Management acknowledges the audit finding and wishes to clarify that the estimated price of UGX 71,400,000 was attained at procurement planning for 84 smart phones. However, the variance of UGX 425,030 was as result of an increase in number of smart phones from 84 to 85 sets due to user needs.

Recommendation

The Accounting Officer should ensure that contracted amounts do not unjustifiably vary over and above the estimated amounts. Where this is justifiable, there should be confirmation of additional funding by the Accounting Officer.

2.3. To assess the level of efficiency and effectiveness in contract implementation

2.3.1 Failure to fulfill contractual obligations

In the procurement for provision of consultancy services for production of regulatory impact assessment to amend the community services Act 2000 worth UGX 46,150,000, Esteem International Consultants (U) Ltd delayed to submit its final report by more than 51 days. While the bidder was required to submit the final report by 15th December 2021, it was noted that the bidder had only submitted an inception report by 24th February 2022.

Implication

This raises doubts on whether there was effective supervision of the supplier.

Management Response

Management acknowledges the audit finding however at the time of the audit the Consultant had not completed the final report but has since submitted the final report to the Entity.

Recommendations

The Authority notes the Entity's response and recommends that Contract Managers monitor contracts and ensure that contracts are implemented within the agreed timelines and contractual terms and conditions in accordance with Regulation 53 of the PPDA (Contracts) Regulations, 2014.

CHAPTER THREE: OVERVIEW OF THE PERFORMANCE OF THE ENTITY

This section presents the scores per area assessed under different inspection questions.

3.1 Overall Compliance Inspection Conclusion

The performance of Ministry of Internal Affairs for the Financial Year 2021/22 was **satisfactory** with overall weighted average risk rating of **19.1%**.

3.2 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 8: Summary of Performance

Risk category	No.	No. %	Value (UGX)	Value%	Weights	Total weighted Average	
						By No	By Value
High	0	0	-	0.0	0.6	0	0.0
Medium	3	30.0	425,000,000	35	0.3	9	10
Low	2	20	168,720,731	14	0.1	2	1.39
Satisfactory	5	50	622,975,546	51	0	0	-
Total	10	100.0	1,216,696,277	100.0	1	11	11.9

$$\text{Performance by Number} = \frac{11 \times 100}{60} = 18.3\%$$

$$\text{Performance by Value} = \frac{11.9 \times 100}{60} = 19.8\%$$

$$\text{The average weighted risk rating} = \frac{18.3 + 19.8}{2} = 19.1\%$$

Table 9: Overall Entity Ranking

Risk Rating	Description of Performance
Below 10%	Highly Satisfactory
11-39%	Satisfactory
40-79%	Unsatisfactory
80 and above	Highly Unsatisfactory

Figure 1: Graphical representation of the cases by value

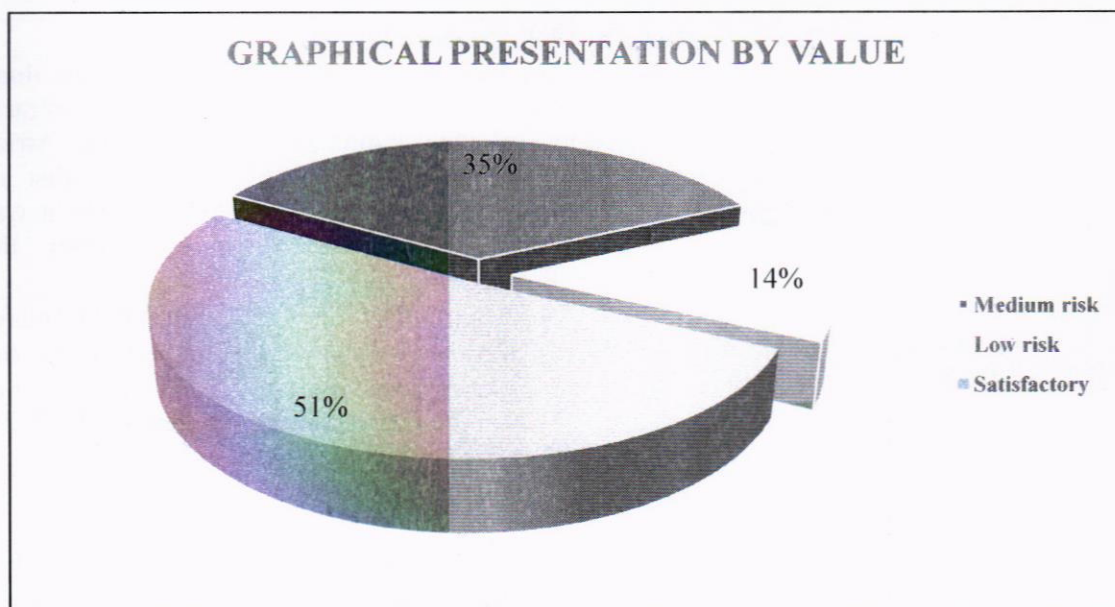
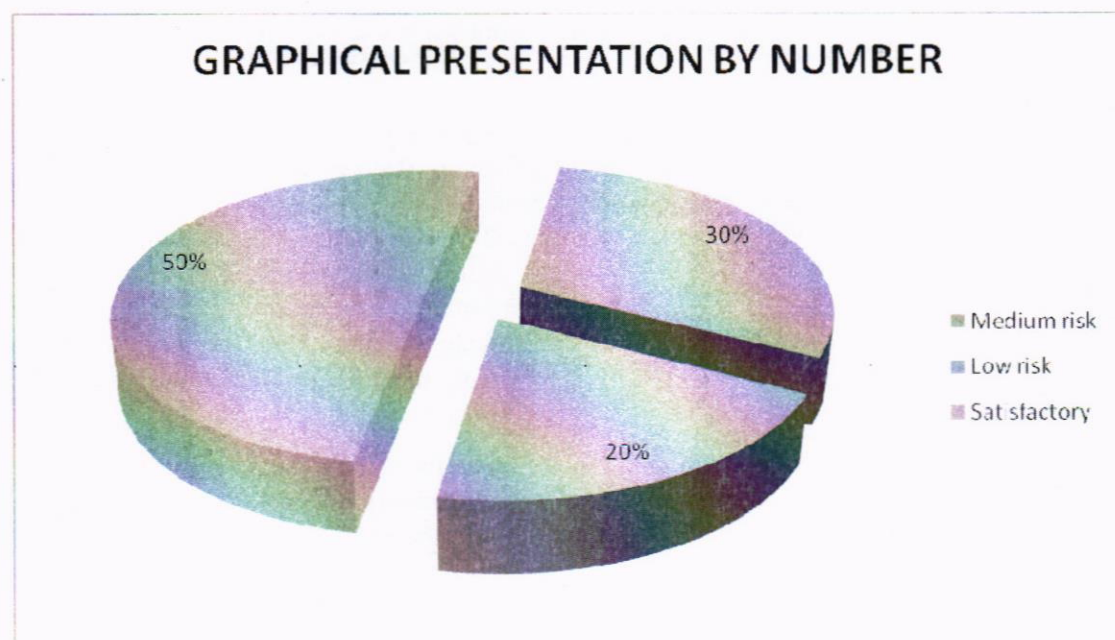


Figure 2: Graphical representation of the cases by number



Appendix 1: Findings and rating on the individual contracts reviewed

No	MEDIUM RISK CONTRACTS	REASONS FOR MEDIUM RISK
1.	Provision of consultancy services for production of regulatory impact assessment to amend the community services Act 2000 worth UGX 46,150,000	Interference of the procurement functions by the Contracts Committee. The Contracts Committee nominated and approved Africa Development Associates to the shortlist of firms to participate in the process which was contrary with the submission from the Procurement and Disposal Unit.
2.	Supply of 25 Motorcycles for the Directorate of Community Service worth UGX 198,900,000.	<ul style="list-style-type: none"> • Overall delay of 69days. A delay of 16days was noted from funds approval by the Accounting Officer to PDU's submission to Contracts Committee for approval of the bidding document, method of procurement and Evaluation Committee members. • In addition Eng. Namubiru Jolly delayed to sign the evaluation report by 32days from the date of completion of the evaluation exercise. T • Contracts Committee further delayed to approve the evaluation report and award of contract by 21days which was contrary to Section 29 (2) of the PPDA Act 2003.
3.	Assorted covid protective and preventive materials for the Ministry of Internal Affairs worth UGX 179,950,000	<p>Passing of a non-compliant bidder. The Best Evaluated Bidder Rima E.A Limited was deemed compliant at preliminary evaluation yet they did not submit a tax clearance certificate. No efforts were made by the Evaluation Committee to request the bidder to submit the certificate which was in breach of Regulation 17 (6) of the PPDA (Evaluation) Regulations 2014.</p> <p>Failure to adhere to evaluation criteria. Chemfarm worldwide Ltd submitted in its bid a trading license that had expired on 21st September 2021 yet bid closing of the procurement transaction was on 30th September 2021.</p>

No	LOW RISK CONTRACTS	REASONS FOR HIGH RISK
1.	Supply of 85 smart phones for field monitoring of NFP activities at the Ministry of Internal Affairs	Variances of UGX 425,030.6 between estimate of UGX 71,400,000 and contract price worth UGX 71,825,030.6.

No	LOW RISK CONTRACTS	REASONS FOR HIGH RISK
	worth UGX 71,400,000	
2.	Supply and installation of additional CCTV cameras and repair of existing CCTV system for MIA worth UGX 96,895,700	<ul style="list-style-type: none"> The specifications issued to bidders were inadequate as bidders were not required to provide a cost for servicing and maintenance of cameras which should have been part of the contract as a fixed sum/price to hedge against high maintenance costs of the cameras. Contracts Committee nominated and approved Mr. Noah Habanda as an additional member of the Evaluation Committee which was contrary with the submission from the Procurement and Disposal Unit that had nominated 3 members of the Evaluation Committee that comprised of Mr. Paul Kibogo, Mr. David Owinjo, Ms. Teddy Namugerwa. This implied lack of independence of functions.

No.	SATISFACTORY CONTRACTS	
1.	Request for furniture and window blinds for Hon. Minister of Internal Affairs and Permanent Secretary worth UGX 67,968,000	Satisfactory
2.	Supply and Installation of desktop computer sets and laptop computers worth UGX 163,716,810	Satisfactory
3.	LOTA Supply, installation, configuration, testing and commissioning of 48/24 port POE switches and LOTB Infrastructure upgrade of the Ministry's server room/improvement of the LAN Capacity worth UGX 123,843,950	Satisfactory
4.	Developing and airing of radio skits for 1month in Languages of English, Luganda, Lunyoro, Lutoro, Luo, Lugbara and Karamojongo worth UGX 68,000,000	Satisfactory
5.	Construction of part of the Ministry of Internal Affairs perimeter fence, renovation of the main gate and supply of billboards worth UGX 199,446,786	Satisfactory

Appendix 2: List of sampled procurements for Ministry of Internal Affairs for Financial Year 2021/2022

No.	Procurement Reference No.	Subject of Procurement	Procurement Method	PROVIDER	Contract Value (UGX)	Risk Rating
1.	MIA/SPLS/2021-22/00060	Request for furniture and window blinds for Hon. Minister of Internal Affairs and Permanent Secretary.	Request for quotation	M/s Pinnacle Concepts Ltd	67,968,000	Satisfactory
2.	MIA/SPLS/2021-2022/00107	Supply of 25 Motorcycles for Directorate of Community Service	Open domestic bidding	M/s Nile Fishing Co. Ltd	198,900,000	Medium
3.	MIA/SUPLS/2021-22/00095	Supply and Installation of desktop computer sets and laptop computers	Restricted Domestic bidding	M/s Deluxe Computers Enterprises Ltd	163,716,810	Satisfactory
4.	MIA/SUPLS/2021-22/00026	Supply of 85 smart phones for field monitoring of NFP activities at the Ministry of Internal Affairs.	Request for quotation	M/s Lakhi Hightech Ltd	71,400,000	Low
5.	MIA/SPLS/2021-22/00051	Procurement of assorted covid protective and preventive materials for the Ministry of Internal Affairs	Restricted domestic bidding	M/s Rima E.A Limited worth	179,950,000	Medium
6	MIA/SUPLS/2021-22/00144	LOTA Supply, installation, configuration, testing	Open Domestic Bidding.	M/s Hardware Kit Ltd& M/s Telekonet Limited	123,843,950	Satisfactory

		and commissioning of 48/24 port POE switches LOTB Infrastructure upgrade of the Ministry's server room/improvement of the LAN Capacity.				
7.	MIA/SRVS/2021-22/00257	Repairs of existing CCTV System , Supply and installation of additional CCTV Cameras for MIA	Request for quotation	M/s A&S Electronics Ltd	96,895,700	Medium
8.	MIA/SUPLS/2021-22/00011	Developing and airing of radio skits for 1 month in Languages of English, Luganda, Lunyoro, Lutoro, Luo, Lugbara and Karamojongo estimated at 70,000,000	Request for quotation	M/s District Focus Publications Uganda Limited	68,000,000	Satisfactory
9	MIA/SRVC/2021-22/00028	Consultancy services for production of regulatory impact assessment to amend the community services Act 2000	Short listing Consultants without Publication	M/s Esteem International Consultants (U) Ltd	46,150,000	Medium
10.	MIA/WRKS/2021-22/00136	Construction of part of the Ministry of	Restricted Domestic	Haheh Contractors Ltd	199,446,786	Satisfactory

	Internal Affairs perimeter fence, renovation of the main gate and supply of billboards.	Bidding			
TOTAL					1,216,696,277

Appendix 3: List of the Contracts Committee members

No.	Name	Designation	Position on Contracts Committee	Appointment date
1.	Dr. Stephen Mugenyi	Ass. Commissioner Planning and Policy Analysis	Chairman	11 th March 2022
2.	Ms. Fredrick Batale	Principal Community Service Officer	Member	11 th March 2022
3.	Mr. Anthony Nakhaima	Ass. Superintendent Police	Member	11 th March 2022
4.	Mr. Odeny Wilfred	Principal Policy Analyst	Member	29 th March 2022
5.	Mr. Katongole Francis	Senior Assistant Secretary	Secretary	14 th June 2021

Appendix 4: Procurement and Disposal Unit Members

No	Name	Position in PDU
1.	Mr. Paul Kibogo	Head Procurement and Disposal Unit
2.	Mr. Julius Byaruhanga	Procurement Officer

Appendix 5: Risk Rating Criteria

RISK	DESCRIPTION	AREA	IMPLICATION
HIGH	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. Significant deviations from established policies and principles and/or generally accepted industry	Planning: Lack of or failure to procure within the approved plan	This implies emergencies and use of the direct procurement method which affects competition and value for money.
		Bidding Process: Use of wrong/inappropriate procurement methods, failure to seek Contracts Committee approvals and usurping the powers of the PDU.	This implies use of less competitive methods which affects transparency, accountability and value for money.

RISK	DESCRIPTION	AREA	IMPLICATION
	standards will normally be rated "high".	Evaluation: Use of inappropriate evaluation methodologies or failure to conduct evaluation.	This implies financial loss caused by awarding contracts at higher prices or shoddy work caused by failure to recommend award to a responsive bidder.
		Record Keeping: Missing procurement files and missing key records on the files namely; solicitation document, submitted bids, evaluation report and contract.	This implies that one cannot ascertain the audit trail namely; whether there was competition and fairness in the procurement process.
		Fraud/forgery: Falsification of Documents	This implies lack of transparency and value for money.
		Contract Management: Payment for shoddy work or work not delivered.	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
MEDIUM	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 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.	Planning: Lack of initiation of procurements and confirmation of funds.	This implies committing the Entity without funds thereby causing domestic arrears.
		Bidding Process: 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.	This implies lack of efficiency, standardisation and avoiding competition.
		Procurement Structures: Lack of procurement structures	This implies lack of independence of functions and powers and interference in the procurement process.
		Record Keeping: Missing Contracts Committee records and incomplete contract management records.	This implies that one cannot ascertain the audit trail namely; whether the necessary approvals were obtained in a procurement

RISK	DESCRIPTION	AREA	IMPLICATION
			process.
		Contract and Contract Management: 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.	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.
		Failure by the Entity to incorporate in the solicitation document aspects of gender, social inclusion, environment, health and safety. Aspects of gender, social inclusion, environment, health and safety not covered by the contractor during contract implementation.	
LOW	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.	Planning: Lack of procurement reference numbers.	This leads to failure to track the procurements which leads to poor record keeping.
		Bidding Process: Not signing the Ethical Code of Conduct	This leads to failure to declare conflict of interest and lack of transparency.

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.