



E-Bulletin



P u b l i c P r o c u r e m e n t A u t h o r i t y

TOGETHER—LET'S FIGHT CORRUPTION

Inside this issue:

- ◆ Editorial - Page 1
- ◆ Online Activities : Page 2
- ◆ Trial (NCA) -Page 5
- ◆ Induction of CEO—Page 6
- ◆ Stand Against Corruption - Page 7
- ◆ Safeguarding the Public Purse— Page 8
- ◆ Views on Appointment of Special Prosecutor—Page 10
- ◆ Procurement News— Page 12
- ◆ Did You Know— Page 12
- ◆ Procurement Humour—Page 13



Welcome to 2018, a new year, a new hope. We look forward to the exciting opportunities that the year will bring. We at PPA have started enjoying some of the goodies of 2018 already:

- ⇒ The President of Ghana, His Excellency Nana Akufo Addo, highly commended the Authority during the 2nd edition of the *'President's 2nd Media Encounter'* held on 17th January, 2018 at the Flagstaff House. In his speech, he acknowledged that PPA has saved the country an amount of GHc145Million, \$142Million, €1.8Million and £22,400 through its procurement audit and due diligence efforts.
- ⇒ Secondly, the CEO of PPA – AB Adjei has been awarded with a Professional

Doctorate Degree by the Institute of Project Management Professionals (IPMP).

- ⇒ Lastly, a new Editorial Committee has been constituted to publish PPA's Bi-Monthly Publications; *e-Bulletin*. This team hopes to further enrich the content of this publication with more educative, informative and interesting articles for readers' enjoyment.

His, Excellency, the President of Ghana has given Presidential Assent to the Parliamentary Bill that establishes the Office of the Special Prosecutor (OSP) and subsequently has nominated Martin Amidu (Esq) to serve as Ghana's First Special Prosecutor. This specialized agency is tasked with *'investigating acts of corruption involving Public Officers, politically exposed persons and persons in the Private Sector who engaged in corruption'*. One of its functions as stipulated in Section 3(1)

(Continued on page 4)



Online Activities—Procurement Plan

List of entities that have submitted their 2018 Procurement Plans Online As At January 30 , 2018

1. Abura/ Asebu/ Kwamankese District Assembly
2. Accra Polytechnic
3. Aduman Senior High School
4. Agona West Municipal Assembly
5. Ahanta West District Assembly
6. Akatsi District Hospital
7. Akatsi District South Assembly
8. Asonomaso district Hospital
9. Bank of Ghana
10. Bia East District Assembly
11. Bibiani/Anhwiaso/Bekwai District Assembly
12. Birim South District Assembly
13. Bolgatanga Polytechnic
14. Civil Service Clinic
15. Commission on Human Rights and Administrative Justice
16. Copyright Administration
17. Council for Scientific and Industrial Research
18. Economic and Organised Crime Office
19. Energy Commission
20. European Dynamics
21. Fanteakwa District Assembly
22. Gaming Commission of Ghana
23. Ghana Broadcasting Corporation
24. Ghana Civil Aviation Authority
25. Ghana Cocoa Board
26. Ghana Cocoa Board - Quality Control Division
27. Ghana College of Physicians and Surgeons
28. Ghana Exim Bank
29. Ghana Export Promotion Authority
30. Ghana Export Promotion Council
31. Ghana Grid Co. Ltd. (GRIDCO)
32. Ghana Health Service
33. Ghana Investment Fund for Electronic Communication
34. Ghana Law School
35. Ghana Library Board
36. Ghana National Petroleum Corporation
37. Ghana Police Service
38. Ghana Water Company Limited
39. Ho Municipal Assembly
40. Ho Polyclinic
41. Ho Technical University
42. Holy Child College Of Education
43. Jomoro District Assembly
44. Ketu South Municipal Hospital
45. Konongo District Hospital
46. Korle- Bu Teaching Hospital
47. Krachi East District Assembly
48. Krachi West District Assembly
49. Kumasi South Hospital
50. Kwaebiiem District Assembly
51. Management Development And Productivity Institute
52. Metro Mass Transport Ltd
53. Minerals Commission
54. MINISTRY OF AVIATION
55. Ministry of Defence
56. Ministry of Finance
57. Ministry of Local Government and Rural Development
58. Ministry of Roads and Highways
59. Ministry Of Youth And Sports
60. Mpohor District Assembly
61. Nanumba North District Assembly
62. National Development Planning Commission



63. National Health Insurance Authority
64. New Edubiase District Hospital
65. North Tongu District Assembly
66. Northern Electricity Distribution Company (NEDCo)
67. Nurses and Midwifery Training College - Sekondi
68. Office of President
69. Office of the Regional Health Directorate – Ashanti Region
70. Office of the Regional Health Directorate – Upper West Region
71. Office of the Regional Health Directorate – Western
72. Offinso College of Education
73. Offinso North District Assembly
74. Pharmacy Council
75. Public Procurement Authority
76. Ridge Hospital
77. S.D.A. Senior High School.
78. School of Anesthesia - Ridge Regional Hospital
79. SDA Nursing and Midwifery Training

School
80. Securities and Exchange Commission
81. Shama District Assembly
82. South Dayi District Assembly
83. St. Patricks Nursing and Midwifery Training College
84. Sunyani Polytechnic
85. Tano South District Assembly
86. Tarkwa District Hospital
87. Tema Development Corporation
88. Tema Metropolitan Assembly
89. Tema Shipyard Ltd
90. Tepa District Hospital
91. Twifu-Heman-Lower Denkyira District Assembly
92. University of Professional Studies, Accra
93. Upper Denkyira East Municipal Assembly
94. Wa General Hospital
95. Wassa Amenfi East District Assembly
96. Wassa East District Assembly



TOGETHER LET'S FIGHT CORRUPTION—Cont.



(Continued from page 1)

(a) of the Office of the Special Prosecutor Act, 2017 is to investigate and prosecute cases of alleged corruption and corruption related offences under the Public Procurement Act, 2003 (Act 663). In view of this, The Editorial Team has dedicated this edition of the E-Bulletin to reflect on some of the provisions regarding offences and corruption in Public Procurement and identify some its associated challenges to progress.

The Cambridge Dictionary defines Offense as '*an illegal act; a crime*' or '*a punishable act*'. Offenses relating to Public Procurement in Ghana are defined in the Public Procurement Act, 2003 (Act 663) as amended. According to Section 92(2) of Act 663 as amended, an Offense constitutes

- a. Entering or attempting to enter into a collusive agreement, whether enforceable or not, with any other supplier or contractor where the prices quoted in their respective tenders, proposals or quotations are or would be higher than would have been the case had there not been collusion between the persons concerned;
- b. Directly or indirectly influencing in any manner or attempting to influence in any manner the procurement process obtains an unfair advantage in the award of a procurement contract;
- c. Altering a procurement document with intent to influence the outcome of a tender proceeding and

this includes but is not limited to

- i. forged arithmetical correction;
- ii. insertion of documents such as Bid Security or Tax Clearance Certificate which were not submitted at Bid Opening; and
- d. Request for clarification in a manner not permitted under this Act.

Corruption is defined by the Transparency International as '*the abuse of entrusted power for private gain. It can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs*'. It is believed that Corruption has been part of human institutions '*since Adam*', thus it is difficult to eradicate it. However, as outlined in Criminal Code, 1960 (ACT 29) as amended, Corruption has many facets but the one of the most pervasive of them all is that which occurs in the public procurement processes.

According to the OECD, Public procurement is one of the government activities most vulnerable to corruption due to the sheer volumes of transactions and the financial interests at stake. Its risks are exacerbated by the complexity of the process, the close interaction between public officials and businesses, and the multitude of stakeholders involved. Risk of corruption can be encountered in almost all the phases in the Procurement Cycle, be it, Procurement Planning Phase, Procurement Invitation/Process Phase and/or Contract Award and Performance Phase. Thus, lack of transparency, limited access to information and lack of accountability and control at each stage of the procurement process as outlined above culminates corruption.

Due to the hidden nature of corruption, it is difficult to measure its exact cost, however, it has been estimated that between 10%-30% of the investment in publicly funded construction projects in Africa may be lost through, mismanagement and corruption (CoST, 2012). The Institute of Economic Affairs (IEA), in November/December 2015 undertook a corruption survey to unearth the nature, levels, causes and motives behind corruption in Ghana. The survey revealed that corruption levels are considered very high by 72.1% of the respondents.



Corruption in Public Procurement results in increase in government operational cost, it complicates Government budgets and the economy and undermine development. Corruption is a serious socio-economic problem and must be fought with every reform to eradicate it.

Corruption impacts societies in a multitude of ways. In the worst cases, it costs lives. Short of this, it costs people their freedom, health or money. The cost of corruption can be divided into four main categories: political, economic, social and environmental. On the political front, corruption is a major obstacle to democracy and the rule of law. In a democratic system, offices and institutions lose their legitimacy when they're misused for private advantage. It is extremely challenging to develop accountable political leadership in a corrupt climate.

Economically, corruption depletes national wealth. Corrupt politicians invest scarce public resources in projects that will line their pockets rather than benefit communities, and prioritise high-profile projects such

as dams, power plants, pipelines and refineries over less spectacular but more urgent infrastructure projects such as schools, hospitals and roads.

Corruption corrodes the social fabric of society. It undermines people's trust in the political system, in its institutions and its leadership. Environmental degradation is another consequence of corrupt systems. The lack of, or non-enforcement of, environmental regulations and legislation means that precious natural resources are carelessly exploited, and entire ecological systems are ravaged. From mining, to logging, to carbon offsets, companies across the globe continue to pay bribes in return for unrestricted destruction.

Considering the ills that corruption can breed in any nation, it must not be treated with kids' gloves at all, rather it calls for a concerted effort by individuals and from all stakeholders to join forces to fight corruption to the latter.

Rhoda E. Appiah & Joana Akua Sakyi-Asiedu

Trial of 4 Former NCA Bosses Begins

The trial of a former Director-General and three former board members of the National Communications Authority (NCA) and a businessman accused of causing \$4 million financial loss to the state commenced on January 16, 2018.

The accused persons are the former Director-General, William Matthew Tetteh Tevie, and the former board members — Eugene Baffoe-Bonnie, Nana Owusu Ensaw and Alhaji Salifu Mimina Osman — and the businessman, George Derek Oppong. They have been accused among other things including engaging in infractions in the procurement of listening devices for the state.

During the trial, the Director of Legal Services at the National Communications Authority (NCA), Abena Asafo Adjei, serving as the first prosecuting witness denied knowledge of \$4m deal in court. She told the court that, she had no knowledge of a contract signed between the Authority and Infralocks Development Limited.

The trial continues and the Ghanaian people are anxious to know what the final outcome would be.

David Sebastian Damoah-Snr.
Corporate Affairs Officer
PPA



CEO OF PPA INDUCTED INTO A DOCTORAL FELLOW OF IPMP



Mr. A.B Adjei, the Chief Executive Officer of the Public Procurement Authority (PPA)

Mr. A.B Adjei, the Chief Executive Officer of the Public Procurement Authority (PPA) has been inducted into a Doctoral Fellow of the Institute of Project Management Practitioners.

Mr. Adjenim Boateng Adjei, is a seasoned procurement and supply chain management specialist. He was the first Chief Executive Officer of the Public Procurement Authority of Ghana. Among his many accomplishments, he was able to pioneer the affairs of the Public Procurement Authority, a procurement regulatory body under the Ministry of Finance and Economic Planning to attain international recognition among donors and most International Financial Institutions.

He is a well-known face at International Procure-

ment Conferences and Workshops and has contributed immensely to the development of Public Procurement especially in capacity building, procurement evaluation and monitoring both at home and abroad. He was an active member of the OECD Taskforce on Procurement and contributed significantly to the development of the current Version 4 of the OECD Assessment Methodology. He has prepared and presented several papers at international seminars, workshops and conferences on procurement, in Europe, Asia, South America and several African countries.

It is in recognition of his enormous efforts and contributions that the IPMP has honored him with this doctoral fellow.

The Institute of Project Management Professionals (IPMP) is a Licensing and Regulatory Professional Body in Ghana and incorporated under the Companies Code, 1963 (Act 179) as a private Company limited by guarantee and duly registered as a Professional Body in accordance with the provisions of the Professional Bodies Registration Decree, 1973 (NRCD 143) as Chartered Project Management Institute (CPMI) to train professionals in project.

The management and staff of PPA on this occasion congratulates you on this success.

David Sebastian Damoah
 Snr. Corporate Affairs Officer
 PPA



President Takes A Strong Stand Against Corruption in Ghana



His Excellency Nana Addo Dankwa Akufo-Addo , President of Ghana

Fighting corruption has been one of the major focus of His Excellency Nana Addo Dankwa Akufo-Addo although the President has been in government for just one year.

The President's resolve to fighting corruption in the country remains unshaken with the recent signing of the Special Prosecutor Bill and the appointment of "citizen vigilante" Martin Amidu as Ghana's first Special Prosecutor.

During the inauguration of the Fifth President of the Fourth Republic, President Akufo-Addo promised to make the fight against corruption his topmost priority.

According to the President, there was a need to restore integrity in the Public Sector. "State coffers are not spoils for the party that wins an election but resources for the country's essential and economic development. I shall protect the public purse and insist on value for money" he stated during his inauguration speech.

The President also in a speech addressing a section of Ghanaian community in the United Kingdom (UK) at a public forum said the persistent engagement of some state officials and private individuals in acts of corruption is undermining the capacity of the country to control its own development hence the need for stiffer legislations to tackle corruption.

On Wednesday January 17, 2018 in the President's second Media Encounter a year after being sworn into office, he said the Special Prosecutor will prosecute corrupt office holders as well as past corrupt officials.

To show his commitment to fighting corruption, the president said every single allegation of corruption in his one-year-old administration will be thoroughly investigated. "Every single act of alleged of corruption labeled against any member of my administration has been or is in the process of being investigated by Independent Bodies" the president stated.

His Excellency, Nana Addo Dankwa Akufo-Addo is very confident that the naming of "citizen vigilante" Martin Amidu as Ghana's first Special Prosecutor will tackle the canker head-on.

Marian Oteng
Assistant Corporate Affairs Officer
PPA

SAFEGUARDING THE PUBLIC PURSE THROUGH ENHANCED PROCUREMENT

Ghana has made savings to the tune of GH¢782 million over the past one year through the introduction of stringent measures by the Public Procurement Authority (PPA) to address waste in the procurement and supply management sector. This was announced by the president at the 2nd media encounter held on Thursday 18th January, 2018, at the Flagstaff House.

In a related development, Mr. AB Adjei, the Chief Executive of the Public Procurement Authority, said the amount, otherwise would have been eroded through padded contracts sum and other procurement malpractices.

Mr. Adjei made this known at the launch of the Ghana Institute of Procurement and Supply's (GIPS) Code of Ethics for procurement and supply professionals recently in Accra, commended the institution for the effort aimed at addressing some of the ethical challenges of the profession.

He said the prevailing narrative of non-compliance and corruption in the practice continued to dent the image of the procurement profession. To him, it is even more disheartening to realize that, procurement professionals who are supposed to guide our political leaders to save the public purse, end up conniving with them and sometimes misconducting themselves under the guise of fear of threats of demotion, loss of jobs or relegation to the background in their institutions.

Mr. Adjei said this must no longer be entertained, and that persons found culpable of misconducting themselves in their line of duty would be made to face sanctions as spelt out in the GIPS Code of Ethics and Conduct in addition to any other legal and disciplinary actions as permitted under the law.

He urged procurement professionals to be bold and assertive in pointing out wrongful acts and respectfully submit their professional stance to their bosses when the need arises.

"This therefore calls for a united front which GIPS is prepared to provide for all procurement professionals and

practitioners through its Code of Ethics and Conduct".

He said procurement in recent times become a key economic and political activity of governments all over the world, and no more a simple act of purchasing, but rather, a development tool that had the ability to transform public finance into developmental outcomes. It has become an essential element in governance that our political leaders must deploy with tact and skill in order to execute their practices and accomplish the desired benefits for their citizens.

He said to this end, the new PPA, under his leadership has established two purpose-driven operational units made up of the Due Diligence and Value for Money, and the Procurement Audit Units respectively, to enhance the credibility of the Authority's operations and processes.

The Due Diligence and Value for Money Unit, he said has been created with clear terms of reference to determine the reasonableness or otherwise of jurisdictions provided by Entities in their applications for Sole Source and Restricted Tendering as they related to the appropriate provisions of the Procurement Act 663 as amended.

Mr. Adjei said this was to restore public confidence and credibility in the Sole Sourcing and Restricted Tendering approval as well as provide technical advice on government contracts to obtain value for money.

The Procurement Audit Unit on the other hand, he said, was responsible for the conduct of periodic audits, investigations and performance assessment exercises to assess the level of compliance or otherwise of procuring entities in respect to the law, and share its findings with the law enforcement agencies such as the Economic and Organized Crime Office (EOCO) and the newly established Office of the Special Prosecutor to prosecute offenders when there are infractions of the law.

He said considering the enormous role that public procurement played in the socio-economic growth of countries, it was instructive that the profession be given due



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He said considering the enormous role that public procurement played in the socio-economic growth of countries, it was instructive that the profession be given due recognition, to enable it to play its strategic role through value addition and risk mitigation that would impact positively on the economy.

He encouraged all procurement professionals and practitioners to be guided by the provisions of the Code of Ethics, and conduct their activities in a transparent, judicious and non-discriminatory manner to achieve value for money. Mr Collins Agyeman Sarpong, the President of the Ghana Institute of Procurement and Supply, called for the urgent formulation of a legislation backing to the practice, to minimize corruption, and weed out persons who saw procurement and supply as an avenue to selfishly enrich themselves.

David Sebastian Damoah-

Snr. Corporate Affairs Officer

PPA



VIEWS ON APPOINTMENT OF SPECIAL PROSECUTOR



The President, Nana Akufo Addo has nominated Martin Amidu as the Special Prosecutor, His choice of Special Prosecutor has received mixed reactions from the general public. Anti-corruption campaigners have hailed the announcement, applauding the president for appointing the man who independently, and as a private citizen won a case against Alfred Woyome, a financier of his own party.

Below are sampled views:

Professor Emmanuel Gyimah-Boadi, Executive Director Center for the Center for Democratic Development (CDD-Ghana) .Source:www.gbcghana.com

The Executive Director Center for the Center for Democratic Development (CDD-Ghana), Professor Emmanuel Gyimah-Boadi has said the nomination of Martin Amidu as the Special Prosecutor has raised his belief in President Akufo Addo's commitment to the

fight against corruption.

"I say so because of Mr. Amidu's pedigree, his track record of anti-corruption and public interest litigation, his courage, his independence mindedness, his tenacity – all the attributes you will need for a job like that. And I also believe that this is an appointment that has the potential to strike fear in the people within and outside the president's own party. And we believe we can now look forward to robust actions to corruption," he added.

'Wise and prudent' -Emile Francis Short, A former Commissioner (CHRAJ)

A former Commissioner on Human Rights and Administrative Justice (CHRAJ), Emile Francis Short, commended the President on the appointment of Martin Amidu as the country's first Special Prosecutor. He said the appointment was a pleasant surprise and a good choice.

According to him, this is a clever and judicious decision on the side of the President in his efforts to fight corruption, saying the President should be congratulated.

Rawlings congratulates Martin Amidu – source:GNA

Former President Jerry John Rawlings has congratulated Mr. Martin Amidu on his appointment as the Special Prosecutor at the Office of the Independent Prosecutor.

Mr. Rawlings expressed optimism that Parliament would approve the appointment, saying; "The President couldn't have made a better choice". The Former President noted that the appointment of Mr Amidu showed



that the President had risen above partisanship and recognised a highly principled citizen to occupy that position.

According to him Mr. Amidu has proven to be a fearless anti-corruption crusader whose pursuit of truth and justice has won him national admiration. "I call on all Ghanaians to offer the appointee the required support and information in pursuit of what will undoubtedly be a challenging role," the former President said.

Martin Amidu's aura enough to fight corruption - Political Analyst.

Source:www.ghananewsagency.org

Dr Kwabena Sarfo-Kantankah, a political analyst, has described President Akuffo-Addo's nomination of Mr Martin Amidu as the Special Prosecutor as apt and sincere.

He said the aura surrounding his persona, public utterances and resolve to expose acts of corruption would scare people to engage in the act. He said Mr Amidu has the "requisite integrity, competence, courage and independence of character to discharge effectively the responsibilities of his new office.

Ghana has developed in the fight against corruption with Amidu's appointment – GII. source:mynewsgh.com

A local chapter of Transparency International, Ghana Integrity Initiative (GII), has stated in an interviewed that the appointment of Mr. Martin Amidu as the Independent Special Prosecutor is an indication that, Ghana has developed in the fight against corruption.

Mrs. Kwarfo pointed out clearly that what President Nana Addo Dankwa Akufo-Addo has done so far shows that, indeed Ghana has developed in democracy. "What the president has done today shows we are gradually developing; looking at measures put in place to reduce corruption".

According to GII, looking at the requirement for the Special Prosecutor in accordance of the new law, it clearly affirms that, Mr. Amidu qualifies for the position, adding that, her organisation has nothing to complain about the new appointee.

David Sebastian Damoah-
Snr. Corporate Affairs Officer
PPA



PROCUREMENT NEWS AROUND THE WORLD

President Emmerson Mnangagwa on Tuesday January 9, 2018 appointed an eight member Procurement Regulatory Authority of Zimbabwe board to replace the State Procurement Board (SPB). The board was dissolved and board members got their letters as Government moves in to bring efficiency, with procurement now reverting to accounting officers in their entities in line with best practice the world over.

According to the Chief Secretary to the President and Cabinet Dr. Misheck Sibanda, the appointment with immediate effect was done in terms of section 8 of the Public Procurement and Disposal of Public Assets Act which abolishes the State Procurement Board (SPB).

The board will be chaired by Mrs Vimbai Nyemba who will be deputized by Ambassador Buzwani Donald

Mothobi. Other new board members are Retired Colonel Joseph Mhakayakora, Engineer Cletus Nyachowe, Ms Ntombehle Moyo, Mrs Roseline Nhamo, Ms Otilia Murasi and Retired Major Dr Thomas Utete Wushe.

In line with section 8 (2) of the Act, the members were selected in recognition of the requirement to have board members with the requisite skills in specified areas as well as to ensure that women are involved.

The awarding of tenders will now be done by accounting officers in various State departments and companies, with the Procurement Regulatory Authority only playing a supervisory and monitoring role to ensure Government entities comply with the new Public Procurement and Disposal of Public Assets Act and other set standards.

Source: Zimbabwe Broadcasting Corporation (ZBC)

DID YOU KNOW

Did you know that there are remedies available to disgruntled tenderers?

If for some reason a tenderer (Supplier, Contractor or Consultant) is dissatisfied with the conduct, results or communication of a tender or procurement process, he/she could seek an administrative review from the Public Procurement Authority.

However, Tenderers should note that the following are not subject to review.

The selection of a method of procurement;

The choice of selection procedure ;

The limitation of procurement proceedings

A decision by the entity to reject tenders, proposals, offers or quotations

A complainant can seek administrative review directly at the Public Procurement Authority within twenty-one (21) days of any of the following instances:

The complaints submitted at the Entity level is not resolved with twenty-one (21)days;

Dissatisfaction with and/or adversely affected by the written decision of the Head of Entity

David Sebastian Damoah-

Snr. Corporate Affairs Officer

PPA



Tendering and Contract Information for periods indicated

[Tendering Opportunities for Jan - Feb 2018](#)

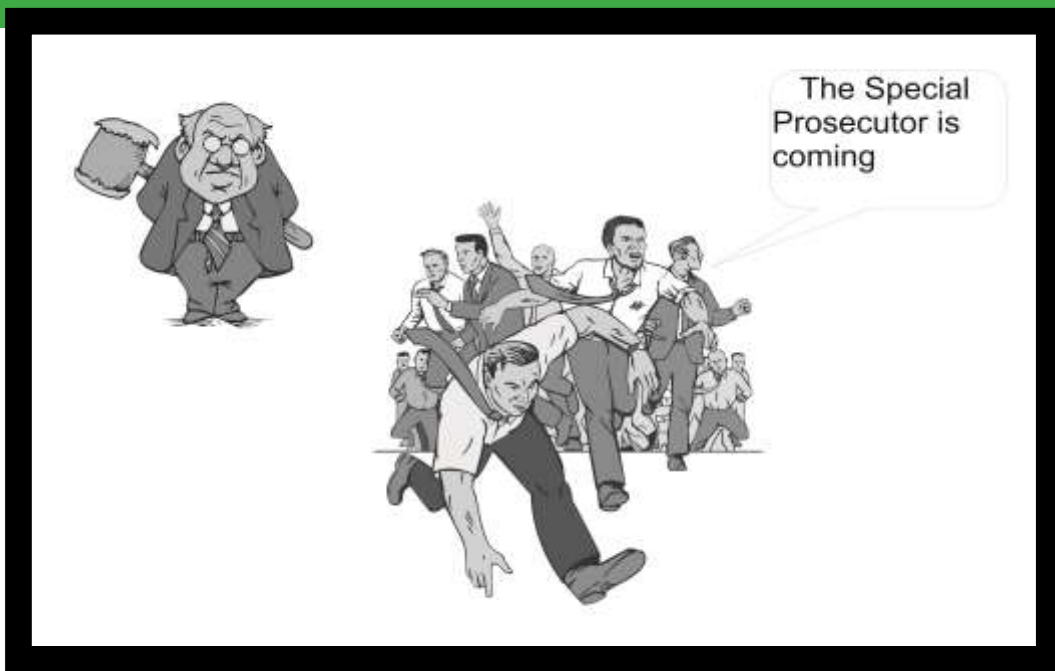
[Open Contracts Awarded for Jan - Dec 2018](#)

[Restricted Tender Awards Jan- Feb 2018](#)

[Expression of Interest Requests Jan - Feb 2018](#)

The links above will take you directly to the PPA Website Reports for the months of period indicated.

PROCUREMENT HUMOUR



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