



# REPUBLIC OF RWANDA



## RWANDA PUBLIC PROCUREMENT AUTHORITY (RPPA)

### THE ANNUAL COACHING AND MENTORING PROGRAM OF RWANDA PUBLIC PROCUREMENT AUTHORITY (Financial Year 2021-2022)

**“To Make Rwanda the Centre of Regional Excellence in Public Procurement”**

**September 2021**



## **FOREWORD**

As part of public financial management reforms, the Government of Rwanda has been engaged in a number of initiatives aimed at streamlining its public procurement system in order to align it with fundamental principles of transparency, competition, economy, effective, efficient and fast work, fairness and accountability.

It is in this regard that the E-procurement system was introduced since 2016 and in August 2018, the new Law governing public procurement was enacted followed by the enactment of its Ministerial order in May 2020. The E-Procurement System is regularly enhanced for adapting it to the rules and regulations governing public procurement as well as for the user friendliness to its Users.

Basing on RPPA mission and responsibilities, this annual Coaching and Mentoring Program was prepared with the purpose to strengthen capacity of Public Procurement officials by equipping them with skills and knowledge they need to well perform their duties and responsibilities in public procurement operations. It contains a list of eight (8) selected Procuring Entities to be coached and mentored as well as the scheduled dates for every concerned entity. The implementation of this coaching and mentoring Program will, no doubt, enhance the capacities of Government officials to work and perform easily their jobs and responsibilities.

As an organization, we remain fully committed to our vision of ensuring a conducive public procurement environment for sustainable development and the mission to regulate the public procurement system by promoting optimal procurement practices through the latest technology and innovation. We continue to count on the support from all stakeholders for their contribution to the successful implementation of this program.

Rwanda Public Procurement Authority (RPPA) Management expresses its gratitude and sincerity to the team, which has led to the realization of the past and present coaching and mentoring initiatives and all stakeholders who have contributed to its implementation.

**UWINGENEYE Joyeuse**

**Director General**



## Abbreviations and acronyms

CBM	: Chief Budget Manager
CDM	: Corporate Division Manager
PTC	: Public Tender Committee
OAG	: Office of the Auditor General
PEs	: Procuring Entities
RFP	: Request for Proposals
RPPA	: Rwanda Public Procurement Authority
TD	: Tender Document
TORs	: Terms of Reference
RCA	: Rwanda Cooperative Agency



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## I. Introduction

Coaching and mentoring program is one of the major annual activities of Rwanda Public Procurement Authority (RPPA) to build and develop capacity of civil servants involved in public procurement. Coaching and mentoring is an effective and integral component of capacity development program frequently used to assist public procurement practitioners and prepare them for or move into new assignments, improve their work habits, adapt to a changing environment or overcome specific obstacles. In this fiscal year (2021-2022), RPPA organizes coaching and mentoring program with the following objectives:

- ✚ Increase the capacity and level of skills of the civil servants involved in public procurement;
- ✚ Instill in public procurement practitioners (CBM, CDM, members of public tender committees, legal advisors, internal auditors and procurement officers), how procurement operations can be well managed through their collaboration with the entire internal workforce;
- ✚ To inspire those involved in public procurement activities to be more professional in handling procurement issues;
- ✚ To identify problems met by the PEs in awarding tenders and managing contracts and find out solutions together with them;
- ✚ To improve teamwork of all civil servants involved in public procurement and increase their engagement and responsibilities for their actions made in procurement;
- ✚ To assist the Chief Budget Managers with capacity building of their procurement teams and help them to gain clarity in their thinking and commitment in public procurement;
- ✚ To challenge and help those involved in public procurement activities to change their limited beliefs, identify and solve problems;
- ✚ To assist civil servants involved in public procurement to make decisions, implement changes and overcome obstacles;
- ✚ To help those involved in public procurement to plan for better future changes in their daily work or proceedings and take advantage of potential new opportunities.



In this Financial Year, Rwanda Public Procurement Authority plans to conduct coaching and mentoring program in eight (8) selected PEs operating at national and local level. This selection has based on the findings of the annual audit reports of Office of Auditor General (end June 2018), RPPA monitoring report (End of June 2021) and current information related to procurement operations from RPPA Monitoring Service and the National Independent Review Panel (2018-2019). Those reports highlighted the serious issues and problems affecting some PEs in terms of capacity building and development. The following are the serious issues and problems assessed and identified:

- Bad tender document with omissions and ambiguities;
- Tenders awarded without or expired performance securities and problem of advance payment security;
- Problems of contract management;
- Problems in evaluation process;
- Inconsistency and cases of poor public procurement planning.

In addition, other Procuring Entities were identified as newly established. This means that they need capacity building and development in order to equip their staff with skills and knowledge that will help them to perform well their duties and responsibilities in Public Procurement.

## II. Procuring Entities selected in the Coaching and Mentoring program (Financial Year 2021-2022)

No	PES	Province	Coaching Date
01	Financial Intelligence Center (FIC)	City of Kigali	20-24/09/2021
02	Rwanda TVT Board	City of Kigali	22-24/11/2021
03	RCA	Southern Province	20-24/12/2021
04	National Rehabilitation Service (NRS)	Western Province	
05	NESA	City of Kigali	04-07/01/2022
06	City of Kigali	City of Kigali	
07	Kayonza District	Eastern Province	25-29/04/2022
08	Burera District	Northern District	



### III. Key Performance indicators and guidelines in Coaching and Mentoring Program (Financial Year 2021-2022)

As planned, the main tasks and activities to be conducted and considered as key performance indicators and guidelines of coaching and mentoring program are divided into two parts:

- 1° Refreshment about public procurement procedures through demos & presentations (KPIs1);
- 2° Analysis of public procurement procedures used by checking their compliance and propose correctives measures and actions (KPIs2);

It is important to develop and provide key performance indicators as guidelines to be followed in coaching and mentoring program to be conducted in this Financial Year 2020-2021. Most of the PEs selected and mentioned in this program are struggling and suffering in terms of skills capacity and procedures in public procurement as provided by the law and regulations. Therefore, the following key areas in terms of capacity building and development need to be focused on during the implementation of this program:

#### III.1. Skills Enhancement about public procurement procedures applied and used in Rwanda -KPIs1 (demos& presentations)

KPI & GUIDELINES IN COACHING PROGRAM	ACTIONS&POLICIES TO BE FOCUSED ON	KEY FOCUS GROUP
01 Coaching program in public procurement process	<ul style="list-style-type: none"> <li>• Public procurement system in Rwanda;</li> <li>• Structure of public procurement system;</li> <li>• Laws and regulations governing public procurement;</li> <li>• Principles regulating public procurement;</li> <li>• Value for money in public procurement process.</li> <li>• Role of the chief budget manager in procurement process;</li> <li>• Role of procurement officers, members of public tender committee, legal advisors, internal auditors and end users in public</li> </ul>	<ul style="list-style-type: none"> <li>• Chief budget managers, procurement officers, PTC members, division managers, legal advisors, internal auditors and end users</li> <li>• Chief budget managers, procurement officers, members of public tender committees, division</li> </ul>



		<p>procurement process;</p> <ul style="list-style-type: none"> <li>• Stages of public procurement process in Rwanda;</li> <li>• Demos &amp; cases studies related to organizations and operations of public procurement process in Rwanda (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report).</li> </ul>	<p>managers, legal advisors, internal auditors and end users</p>
02	Coaching program in public procurement planning	<ul style="list-style-type: none"> <li>• Importance of public procurement planning;</li> <li>• Steps to be followed in public procurement planning;</li> <li>• Procedures in public procurement planning;</li> <li>• Link between procurement plan &amp; Budgeting;</li> <li>• Revision of annual public procurement plan;</li> <li>• Public procurement methods to be used in procurement;</li> <li>• Cases of idle assets in public procurement planning;</li> <li>• Demos &amp; cases studies related to public procurement planning and their effects on procurement operations (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)</li> </ul>	<ul style="list-style-type: none"> <li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li> </ul>
03.	Coaching program in evaluation process	<ul style="list-style-type: none"> <li>• Objectives &amp; importance of evaluation process;</li> <li>• Role of members of public tender committee in evaluation;</li> <li>• Role of chief budget managers in evaluation process;</li> <li>• Different stages of evaluation and their importance in public procurement process;</li> <li>• Evaluation criteria in public procurement process;</li> <li>• Price adjustment in evaluation process;</li> <li>• Role of market survey before evaluation process;</li> <li>• Some issues regarding credit lines as evaluation criteria;</li> <li>• Some issues regarding experience as evaluation criteria;</li> <li>• Demos &amp; cases studies related to evaluation process in public procurement (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)</li> </ul>	<ul style="list-style-type: none"> <li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li> </ul>



04	Coaching program in preparation of tender document	<ul style="list-style-type: none"><li>• Role and objectives of tender document;</li><li>• Key elements (components) public procurement procedures to be followed and provided in the tender document;</li><li>• Details on bid data sheet;</li><li>• Details on information to be provided by the external linkages in the tender document,</li><li>• Details on different price schedules to be filled during the preparation of tender document and their importance;</li><li>• Details on technical specifications and the importance of their provision in the tender document;</li></ul> Demos& cases studies related to preparation of tender document in public procurement process (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)	<ul style="list-style-type: none"><li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li></ul>
05	Coaching program in notification and negotiation process	<ul style="list-style-type: none"><li>• Role, purpose and objectives of notification in public procurement;</li><li>• Procedures regulating notification in public procurement;</li><li>• Criteria of negotiation in public procurement for all types of tenders;</li><li>• Some issues regarding the extension of bid and performance security;</li><li>• Demos&amp; cases studies related to notification and negotiation in public procurement process (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)</li></ul>	<ul style="list-style-type: none"><li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li></ul>



06	Coaching program about bid security, performance security and advance payment security	<ul style="list-style-type: none"><li>• Role, purpose and objectives of bid, performance and advance payment security;</li><li>• Procedures regulating bid, performance and advance payment security;</li><li>• Procedures regulating the seizure and recovery of bid, performance and advance payment security;</li><li>• Sanction for signing of procurement contract award without prior acceptance of performance security;</li><li>• Demos &amp; cases studies related to bid, performance and advance payment security in public procurement process (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)</li></ul>	<ul style="list-style-type: none"><li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end-users.</li></ul>
07	Coaching Program about contract management in public procurement process	<ul style="list-style-type: none"><li>• Role, objectives and purpose of contract management in public procurement process;</li><li>• Preparation of contract in public procurement process;</li><li>• Use of framework agreement contracts and its benefits to public procurement process;</li><li>• Key components of public procurement procedures to be provided in the contract;</li></ul>	<ul style="list-style-type: none"><li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li></ul>



		<ul style="list-style-type: none"><li>• Public procurement procedures regulating contract execution</li><li>• Delays and their effects in contract management;</li><li>• Link between the expiration of the contract and performance security (issue regarding the guarantee period);</li><li>• Public procurement procedures regulating contract amendment (additional or deduction activities of 20%)</li><li>• The role of members of the public tender committee in contract amendment,</li><li>• Public procurement procedures regulating contract execution for all types of tenders;</li><li>• Payment modalities in contract management;</li><li>• Application of delays penalties in contract management;</li><li>• Application of penalties due to contract termination or breaching;</li><li>• Demos&amp; cases studies related to contract management in public procurement process (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report).</li></ul>	
08	Coaching program about reception in public procurement process	<ul style="list-style-type: none"><li>• Role, objectives and purpose of reception in public procurement process;</li><li>• Different types of reception in public procurement process;</li><li>• Public procurement procedures regarding reception in public procurement process applied to all types of tenders;</li><li>• Role of receiving committee in public procurement process;</li><li>• Demos&amp; cases studies related to contract management in public procurement process (giving some real examples by using case studies of audit report of OAG and RPPA monitoring report)</li></ul>	<ul style="list-style-type: none"><li>• Chief budget managers, procurement officers, members of public tender committees, division managers, legal advisors, internal auditors and end users</li></ul>



### III. 2. Analysis of public procurement procedures applied to all tenders awarded (2020-2021) and correctives measures to be taken- KPIs2

The coaching program will be based also to other activities aimed at analyzing the compliance and performance of public procurement operations and procedures used in the Financial Year 2020-2021 in all institutions selected in this program (compliance analysis & proposal of correctives measures).

KEY PERFORMANCE ASSESSMENT INDICATORS		ACTIONS & POLICIES TO BE FOLLOWED	COACHING MEASURES
01	Analysis and assessment of working environment in public procurement process.	<ul style="list-style-type: none"><li>• Identify the level of training of chief budget managers, procurement officers, members of public tender committees, legal advisors and internal auditors in public procurement</li><li>• Identify professional and education level of the chief budget managers and procurement officers;</li><li>• To know working environment, relationship and communication between every one intervening in public procurement process including the chief budget managers, procurement officers, members of public tender committee, legal advisors, internal auditors and end users;</li><li>• To identify the role and responsibilities of every one intervening in public procurement process.</li></ul>	<ul style="list-style-type: none"><li>• To offer and delivery basic coaching program in public procurement to chief budget managers, procurement officers' members of public tender committee and end users</li><li>• To demonstrate working environment, communication and relationship that may characterize the good working environment and relationship between the chief budget managers, procurement officers, members of public tender committee, legal advisors, internal auditors and end users</li><li>• To demonstrate the role and responsibilities of every one</li></ul>



			intervening in public procurement process including the chief budget managers, procurement officers, members of public tender committees and end users
02	Analysis and assessment of the performance of the annual published procurement plans of PEs (fiscal year 2020-2021)	<ul style="list-style-type: none"><li>• Identify the role of end-users in preparation and elaboration of the annual public procurement plan;</li><li>• Analyze the compliance of the annual public procurement plans of PEs according to the law and regulations;</li><li>• Determine the implementation level of the annual public procurement plan in this fiscal 2020-2021;</li><li>• Identify the barriers and other key factors affecting the implementation of public procurement plan;</li><li>• Analyze the compliance of the revision of public procurement plan according to the law and regulations;</li><li>• Analyze the compliance of procurement methods used in the annual procurement plan according to the law and regulations;</li><li>• Analyze the implementation of procurement methods specified in the annual procurement plan.</li></ul>	<ul style="list-style-type: none"><li>• Demonstrate the role of end-users in public procurement process;</li><li>• Demonstrate the compliance of the annual public procurement plan according to the law and regulations governing public procurement in Rwanda;</li><li>• Recommend and give advice to different barriers and other factors affecting the implementation and compliance of public procurement plan;</li><li>• Explain and advise on the implementation of procurement methods used or mentioned in procurement plan;</li><li>• Advise on ordinary budget allocated to different tenders</li><li>• Recommend PEs to speed up the</li></ul>



			implementation of the annual procurement plans
03	Analysis of the tender documents/RFPs of PEs	<ul style="list-style-type: none"><li>• Analysis of the key contents of the tender document as provided by the law and regulations;</li><li>• Identify and analyze the compliance of all public procurement procedures mentioned and specified in tender document;</li><li>• Identify some errors and mistake made in tender document preparation;</li><li>• Determine if all public procedures provided by the law are all mentioned and specified in the tender document;</li></ul>	<ul style="list-style-type: none"><li>• Provide the recommendations on the key contents mentioned in the tender document;</li><li>• Advise on public procurement procedures mentioned and provided in tender document;</li><li>• Provide and propose corrective measures to be taken in the future for some errors and mistake identified in tender document preparation;</li><li>• Provide advice on technical specifications/ToRs mentioned in the tender document.</li></ul>
04	Analysis and assessment of public procurement procedures used in notification of tender award and contract negotiation	<ul style="list-style-type: none"><li>• Identify and analyze the compliance of public procurement procedures used in notification process including:<ul style="list-style-type: none"><li>✓ time successful and the unsuccessful bidders have been notified about the provisional outcome of the bid evaluation;</li><li>✓ time the notification has been done before the expiry of the bid validity period;</li><li>✓ Time unsuccessful bidders have been notified about the contract award;</li></ul></li><li>• Analyze the minutes of contract negotiation of different tenders made by the PEs;</li><li>• Analyze minutes of contract negotiation for tenders of consultant services</li></ul>	<ul style="list-style-type: none"><li>• To provide and recommend advice on different mistakes and errors made during the notification process;</li><li>• To provide guidelines and advice about the bid validity period;</li><li>• To coach PEs about the negotiation process in public procurement;</li><li>• To coach PEs about different types of contracts used for tenders of consultant services, their advantages and</li></ul>



		<ul style="list-style-type: none"> <li>Analyze different types of contracts used for tenders of consultant services</li> <li>Identify public procurement procedures used by PEs to negotiate the reimbursable expenses for tenders of consultant services</li> </ul>	<p>disadvantages...</p> <ul style="list-style-type: none"> <li>To coach PEs about negotiation process for tenders of consultant services.</li> </ul>
05	Analysis of bid, performance and advance payment security used for different types of tenders	<ul style="list-style-type: none"> <li>Analyze the compliance of bid, performance and advance payment security used for different types of tenders according to the law and regulations;</li> <li>Analyze the timeframe in which bid, performance and advance payment securities are requested and provided;</li> <li>Analyze different cases of the seizure of the bid and performance security and determine their compliance according to the law and regulations;</li> <li>To analyze the procedures followed to recover the bid, performance and advance payment security in case they have been seized.</li> </ul>	<ul style="list-style-type: none"> <li>To provide advice and recommendation about the bid, performance and advance payment security.</li> <li>To provide basic coaching on bid, performance and advance payment security to chief budget managers and other Staff.</li> </ul>
06	Analysis and general assessment about contract management in public procurement process of different PEs.	<ul style="list-style-type: none"> <li>Analyze the terms and conditions of procurement contracts of different tenders and determine their compliance according to the law and regulations;</li> <li>Analyze the contract amendment of different tenders and determine their compliance according to the law and regulations governing public procurement in Rwanda;</li> <li>Analyze the application of penalty relating to delay during the contract execution and determine their level of compliance;</li> <li>Analyze public procurement procedures followed in case of contract termination or breaching;</li> <li>Analyze the case of framework agreement contracts concluded by the PEs with bidders</li> </ul>	<ul style="list-style-type: none"> <li>Provide recommendations and advice in contract management and some issues related to contract amendment, termination and breaching;</li> <li>Offer basic coaching on contract amendment, termination and breaching,</li> <li>Advise on application of delay penalties in case of contract termination and beaching</li> <li>Propose correctives measures in</li> </ul>



			contract amendment; • Advise on framework agreement contracts and provide their advantages and conditions for their use by PEs
07	Analysis and general assessment Of reception process in public procurement (final statement and acceptance)	<ul style="list-style-type: none"><li>• Analysis of working environment of receiving committees (analysis of organization and composition of their members)</li><li>• Analysis of the reception process of PEs (analysis of good received notes, checking the compliance of goods received with technical specifications provided in TD, etc.....);</li><li>• Analysis for the compliance of delivery time schedule and period.</li></ul>	Advise on organization and composition of the members of receiving committees Advise on reception process and compliance with technical specifications; Advice on the compliance of delivery time schedule and propose correctives measures or actions

