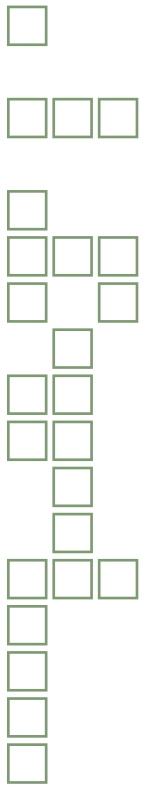




West Africa Contract Monitoring Program

*Improving the Transparency and
Accountability of Public Procurement and
Contracting Systems in Ghana, Liberia,
Nigeria and Sierra Leone*





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(Program funded by the World Bank Institutional Development Grant (IDF))

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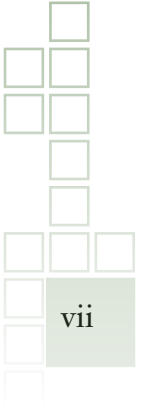
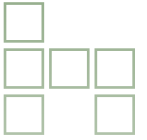


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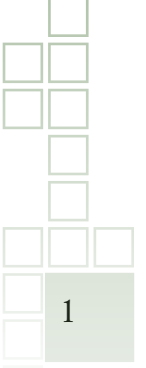
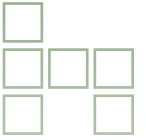
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Abbreviations

CBE	Community Based Enterprise
CENTAL	Center for Transparency and Accountability in Liberia
CMC-SL	Contract Monitoring Coalition, Sierra Leone
CSO	Civil society organizations
DUR	Department of Urban Roads
GACC	Ghana Anti-Corruption Coalition
GCMG	Ghana Contract Monitoring Group
GHA	Ghana Highway Authority
GII	Ghana Integrity Initiative
LCT	Liberia Country Team
MDA	Millennium Development Authority
NCMC	Nigeria Contract Monitoring Coalition
NEGIP	Nigeria Electricity and Gas Improvement Project
NSE	Nigerian Society of Engineers
PPDC	Public Private Development Center
PHCN	Power Holding Company of Nigeria
SDI	Society for Democratic Initiative
WACMN	West Africa Contract Monitoring Network



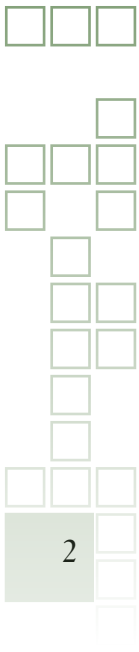
I. Introduction



In 2010, the World Bank's Africa Core Operations Services (AFTOS, Africa Region) and the World Bank Institute (WBI) conceptualized the West Africa Contract Monitoring Network (WACMN) to strengthen the capacity of civil society organizations (CSOs) in four West African countries namely, Ghana, Nigeria, Liberia, and Sierra Leone in the monitoring of public procurement and contracting systems. The objective for WACMN was to establish effective and sustainable multistakeholder country level contract monitoring coalitions in the four countries. Specifically, WACMN was expected to: build a regional network of stakeholders across the four countries that is committed to move the agenda of contract monitoring forward on the regional level; establish sustainable monitoring coalitions of diverse stakeholders in each of the four target countries that will continue to oversee contracting processes after the program ends; and contribute to improved transparency and accountability of procurement/contracting processes in priority sectors/projects.

The activities were implemented from 2011 to 2014, supported with USD 983,120 funding from the Institutional Development Fund (IDF) managed by the World Bank Africa Core Operation Services (AFTOS).

The regional coordinator for WACMN was the Ghana Anti-Corruption Coalition (GACC), which worked with the various country coalitions made up of representatives from CSOs, the private and public sectors and the media. The Country Convening Organizations were the Ghana



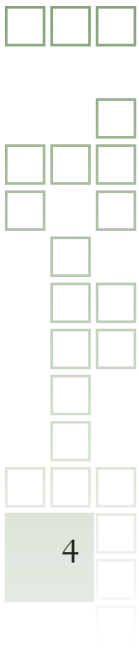
Integrity Initiative (GII) for Ghana, the Public Private Development Center (PPDC) for Nigeria, the Center for Transparency and Accountability in Liberia (CENTAL) for Liberia, and the Society for Democratic Initiative (SDI) for Sierra Leone.

Each country coalition decided on which projects it would monitor. The Ghana Contract Monitoring Group (GCMG) identified construction projects, especially of road and school building projects as critical for Ghana’s development. This decision was taken against the backdrop of revelations of poor construction of roads and school buildings in Ghana. Through its multistakeholder engagement, the Nigeria Contract Monitoring Coalition (NCCM) selected compliance with the Nigerian Public Procurement Act and rules in the energy sector for monitoring. The decision to monitor contracts in the energy sector was arrived at after considering the huge multiplier effect the energy sector has on society—such as the economy, businesses, health and safety, security—and the almost unanimous vote of no confidence in public sector governance of the power sector. The Liberia Country Team (LCT) focused on monitoring the procurement process for the Community Based Enterprises (CBEs) engaged to undertake the collection of waste in selected communities in the capital Monrovia, while the Sierra Leone Coalition monitored World Bank-funded projects including the Youth Employment Scheme and the Education for All Fast Track Initiative (EFA FTI) projects in Freetown and the four districts of Makeni, Kenema, Bo and Moyamba.

One key attribute of the country coalitions was the use of multistakeholder engagement to establish and strengthen structures and processes for civil society actors and citizens to be involved in the public procurement process and to monitor the execution of contracts awarded in the countries. The country coalitions first created awareness and interest about citizen engagement and monitoring of government procurement processes. They then created avenues for communities to engage public institutions on projects being implemented in their communities. The country coalitions also developed monitoring tools specific to their projects and trained monitors from within the beneficiary communities. Monitoring Teams were therefore made up of ordinary citizens and technical experts equipped to effectively monitor projects in their respective communities.

In all the four countries, key ministries and government agencies were involved in the activities of the coalitions or provided some support for the implementation of the coalition activities, an indication of the willingness of governments to engage CSOs and citizens on the development agenda. Increased community, CSO, and media involvement in the activities of the coalitions demonstrates citizens’ determination to participate in deliberations on issues of development that impact on their wellbeing.

Overall, the WACMN program has provided broader citizens’ participation and interest in contracting and implementation of projects, and established a regional platform for further collaboration with governments and development partners to improve transparency and accountability in the sub-region. Following implementation of the activities, the WACMN program has facilitated the development of the various case studies by each country coalition presented in this publication to share knowledge through lessons learned, best practices, innovative areas of focus for future projects, and possible scaling up of the Network.



The Projects

Having these challenges in mind, the GCMG identified monitoring of construction, especially of road and school building projects as critical for Ghana's development. Pursuant to addressing these challenges, the GCMG decided to concentrate on the road sector in the first phase of the project. As a first step, the GCMG decided to recruit a consultant to conduct an assessment of the newly-constructed George Walker Bush Highway that had received commendations, so as to draw lessons to develop a standardized tool to monitor road construction in Ghana in general. The draft report of the consultant was subjected to a stakeholder validation meeting that brought together experts in the construction industry including consultants, contractors and clients, and relevant government ministries or their agencies. Thereafter, the tool was finalized and developed as a standard, citizen-friendly monitoring template/tool to monitor road constructions in Ghana.

Two roads were then selected for monitoring: the La-Teshie road in the Greater Accra region, and the Bekwai-Assin Praso road in the Central Region. The GCMG selected a combination of citizens resident in the communities where the road construction was taking place, and experts in the field of construction to do the monitoring. It was also expected as part of the selection criteria that monitors are literate and could write simple reports. The monitors received training to build their capacity in the use of the monitoring tool.

In the project's second year, the GCMG focused on school building projects. This decision was taken against the backdrop of revelations of poor construction of school buildings—in some cases, the buildings had collapsed just months after completion—as well as the high cost involved in these school building projects. The GCMG used almost the same approach it applied for the road sector, in terms of selecting and training school building monitors as well as monitoring the project.

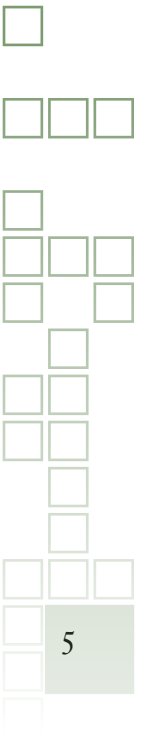
Challenges

The decision of the GCMG to review the George Walker Bush Highway to serve as a guide and to offer standards to develop the monitoring tool was a big challenge during project implementation, as the Millennium Development Authority (MDA), the agency responsible for implementing the project was about winding up its activities. It was difficult getting MDA officers to engage with the GCMG. Another challenge that confronted the monitors was getting cooperation from the clients and contractors of the selected roads and schools for monitoring. It took almost ten meetings to get the Urban Roads Authority to the selected Accra road to give the monitors the go ahead to monitor. This delayed the commencement of the road monitoring activities.

Results

The GCMG successfully launched its report on Citizens monitoring of the widening of the La-Teshie road in the Greater Accra Region, and the Bekwai-Assin Praso road and bridge construction in the Central Region. The launch was attended by the Deputy Minister for Roads and Highways and thus received wide coverage in the media, drawing attention to the GCMG's activities. On a number of occasions, the GCMG held meetings with the Finance Minister and some of his deputies to brief them on the project and to advocate for the continuous monitoring of public contracts.

The various media engagements and sustained advocacy have led to increased awareness about citizens' participation in contract monitoring in the communities where the projects were



implemented and, to some extent, nationally as well as within the various government agencies that partnered with the GCMG. Significant changes advocated by the GCMG, such as provision of places of convenience, reducing dust and noise by contractors on road projects were implemented on the monitored roads.

Stakeholder engagement meetings brought together for the first time the client, the consultants and the contractors to engage with some representatives of the communities who are beneficiaries of the projects, therefore helping to build trust and buy-in for the project activities. The contractors addressed issues raised by community representatives regarding road culverts, gutters and signs on construction sites. Public institutions, CSOs, and the private sector have been able to collaborate effectively thus far, which is very good for contract monitoring. The Ministry of Roads and Highways and its agencies including the Ghana Highway Authority (GHA) and the Department of Urban Roads (DUR) have now accepted the GCMG—and CSOs in general—as a partner in road contracts. They now invite the GCMG to participate in some programs.

Outcomes

Citizens' contract monitoring is a relatively new concept in demanding accountability in the procurement process. Yet it has provided the needed push to help CSOs, individuals, media houses, and other institutions to go beyond just lamenting about the challenges facing road construction and other government projects in the country to take pragmatic steps toward improving the situation. The implementation of project activities and the subsequent results derived from monitoring the selected projects at the community level has led to significant improvement in the capabilities of participating CSOs to scale up the monitoring of government-funded project across the country. Another significant outcome of the project implementation is the development of a monitoring tool that the Parliamentary Select Committee on Road plans to adopt as a tool to monitor road contracts. Other institutions and organizations can also adopt and adapt the tool to monitor other public projects to ensure value for money and prompt delivery.

The monitoring project created a platform where government institutions, CSOs, beneficiary communities, private institutions, and individuals dialogued on the respective responsibilities and obligations of government and contractors in contracting for infrastructure development projects especially on roads and school buildings. The study of the George Walker Bush Highway was very useful in developing the monitoring tool. It also brought up thematic areas such as the social factors which in most road contracts are never considered. This has enriched the monitoring tool and received acknowledgement from experts in road construction in Ghana.

"Citizens' contract monitoring is a relatively new concept in demanding accountability in the procurement process. Yet it has provided the needed push to help CSOs, individuals, media houses, and other institutions to go beyond just lamenting about the challenges facing road construction and other government projects in the country to take pragmatic steps toward improving the situation."

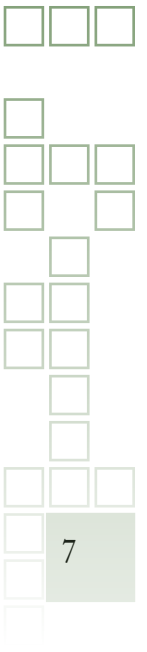
Lessons Learned

Multistakeholder groups can form coalitions to make contracts easily understandable and their awarding and implementation more transparent. The major lesson from Ghana's experience



in road contract monitoring was that to have full cooperation from government officials it was not enough to establish contact with the Ministry of Roads and Highways. One also has to deal directly with its agencies such as the GHA and the DUR who are direct implementers of road contracts in Ghana. In addition, establishing official and unofficial cordial relations with stakeholders was key to the successful implementation of monitoring activities. The active partnerships established by GCMG with the Ministry of Roads and Highways and its implementing agencies such as the DUR and the GHA proved most useful. Contractors cooperated with GCMG monitors, because they had received authorization from their clients (GHA or DUR) to do so.

For CSOs to play their role in ensuring value for money in the procurement process and project implementation in Ghana, they need to build their capacity in how the Procurement Laws of Ghana operate and to understand the technical language in the contract documents. It is important for government agencies and CSOs to develop mutual trust for constructive dialogue on important issues such as road construction to ensure the common objective of enhancing development for citizens. Involving citizens, especially beneficiaries, to monitor project implementation and to dialogue with implementing agencies and contractors facilitates satisfactory addressing of concerns arising and increases the likelihood of better project outcomes. Citizen participation in contract monitoring is critical for development as it improves governance.



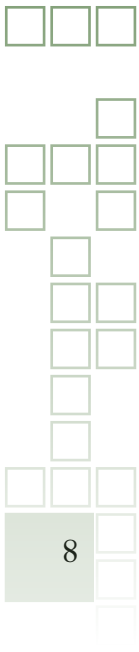
III. Liberia: The Effectiveness of Procurement Processes in Waste Management and How They Affect Communities Across Monrovia

Many countries have since the year 2000, committed themselves to achieving the Eight Millennium Development Goals (MDGs), which have been globally accepted for measuring development progress. MDG-7 aims at ‘Achieving Environmental Sustainability,’ with Water and Sanitation falling under Targets 7c and 7d. The City of Monrovia faced waste management challenges that attracted the attention of development partners such as the World Bank, and the Bill and Melinda Gates Foundation.

In light of corruption and other problems that have created a stumbling block in the procurement process and the ability to obtain value for money in many projects in West Africa, the need to build the capacity of emerging multistakeholder groups to monitor and improve governance in national public procurement and contracting systems was a welcomed initiative. The Center for Transparency and Accountability in Liberia (CENTAL) was selected as the country convener of the Liberia project to monitor the effectiveness of procurement processes of the Monrovia City Corporation (MCC) and how these affected the delivery of waste management and sanitation services in five communities in the city. The work was anchored on “good governance,” the two words for fighting corruption and making aid work (Thirlwall, 2003), and sought to promote citizens’ engagement and participation in the contracting process of projects taking place in their communities. This was to be achieved through access to procurement information, strengthening the capacities of communities and civil society organizations (CSOs), and establishing an inclusive and sustainable monitoring framework for citizens that ensures value for money for public projects.

The Problem

Due to the conflicts that confronted Liberia over the past 20 years, and more recently, the wave of rapid urbanization, the City of Monrovia has grappled with problems including management of household waste. The MCC barely had the capacity and resources to address challenges relating



to this, and contracted the services of Community Based Enterprises (CBEs) to do the work. Unclear laws and weak capacity for enforcement of waste management laws also compounded the matter. As a result, both liquid and solid household waste is routinely dumped in public places despite the multiplicity of institutions with overlapping functions and mandates to manage waste, leading to an unsightly and unhealthy environment.

Context

The City of Monrovia has approximately 1.01 million residents in an environment which besides being the seat of government remains the hub of commercial activities. Most of the citizens living in the communities where the project was implemented—Central Monrovia, Bushrod Island, Fiamah and Gardnerville—hardly knew the CBEs that were contracted to manage their waste. The communities were neither party to the contracting process nor abreast with the regulations guiding the operation of the CBEs and the city authorities. The CBEs, primary refuse collectors, were expected to provide 40 percent coverage for refuse collection in the areas of implementation while the secondary collectors covered 60 percent. Having poor knowledge of the procurement process of the MCC, most of the citizens lacked the capacity to engage the city authorities and

their private sector waste management partners and also to hold them accountable for the provision of quality waste management services.

Community Based Enterprises (CBEs)

CBEs take on the responsibility of managing the collection of primary door to door waste from households to community collection points for the two secondary collectors to collect to transfer stations. The CBEs collect fees from the households to defray their cost and make some reasonable profits. MCC signs a one year contract with CBEs which is renewable based on performance. CBEs should have offices located in or adjacent the community of operation, employed residents of community of operation and have a minimum deposit of 30,000.00 Liberian Dollars or its equivalent to be permitted to operate.

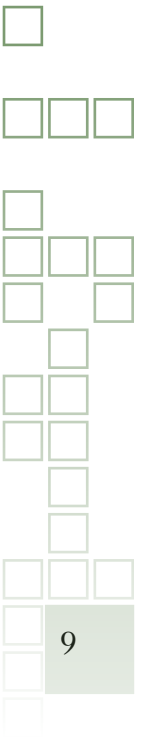
Poor waste management in the city has led to unhealthy environment which, in turn, has created health problems and diseases for city residents. Women and children were at the receiving end of the poor implementation of the waste management programs of the city. All this adversely affects the ability of the citizens to undertake economic activities and contribute towards the fight against extreme poverty and hunger. Such situations make the attainment of the MDGs a challenge.

To ensure inclusive and sustainable waste management service provision and program delivery by the CBEs, community members were recruited, trained

and provided with resource support to procure tools and equipment to establish or work with CBEs and Community Management Teams (CMTs) which were formed to monitor the performance of the CBEs.

Addressing the Waste Management Problem of the City of Monrovia through the Liberia Country Coalition's Activities

The Liberia Country Team (LCT) comprised of the convening organization and the other participating organizations, used a multistakeholder approach that provided the platforms for CSOs and individuals to participate in monitoring the procurement process for selecting CBEs to undertake



waste collection in the communities. The platforms created the opportunity for members of the various communities to express their opinion on the provision of waste management services. Other CSOs involved in transparency and accountability but which were not members of the LCT also took advantage of the opportunity provided by the LCT to get involved in activities of the coalition. The multistakeholder approach also created space for public sector organizations and private business enterprises to play key roles in the successful monitoring of project outcomes.

To increase community access to information about municipal procurement and contracting processes, the team employed media campaigns and outreach, community engagement, radio discussions, and policy briefs. The strategies were carried out through community dialogue sessions, radio talk shows, use of jingles and brochures. Workshops, sensitization programs, and empowerment sessions enabled communities, the media, and civil society actors to strengthen their capacity for the purpose of increasing knowledge for strategic participation in municipal initiatives. In addition, workshops on municipal contracts monitoring, municipal governance, compliance with procurement laws, and the role of monitors were organized for identifiable groups such as students, academics, media and other CSOs. In order to improve relationships among city officials, communities, and contractors in the implementation of the monitoring activities of the LCT, community dialogues, stakeholder meetings and coalition meetings were also held. About 30 community monitors were recruited and trained to take part in the assessment of CBEs and CMTs.

Challenges

Despite the establishment of clear criteria for selection of CBEs and involvement of communities in the formation of CMTs, some of the CBEs were recruited without any form of community consultation, and CMTs were also formed without involvement of communities at the initial stages of the project. There were indications that garbage collection fees were levied without the involvement of the communities. This led to conflict between community members and the garbage collectors, and nonpayment of levies to the CBEs. There was poor coordination between the relevant government ministries, departments and agencies, which affected the regulation and monitoring performance of the MCC. The number of refuse buckets provided by secondary contractors was inadequate to meet the increasing numbers of CBEs engaged in the primary door-to-door garbage collection exercise. Also, there were cases of refuse left uncollected for weeks, with hazardous consequences for community residents. As a result, some communities were reluctant to allow the placement of skip buckets at various designated collection points.

“I think the skip buckets provided by these secondary contractors are very limited. Sometimes we walk almost 30 minutes before reaching skip bucket, and sometime you notice it is already filled and then you have to go on and on. This is time consuming and costing us a lot”

Isaac Swen;
CBE member, Bong Mines Bridge

Results

Community engagement and media campaign exercises helped equip citizens with knowledge of the public procurement and concession laws of Liberia as well as the entire work structure of the garbage collection exercise. Again, workshops and media engagement programs served to bridge existing information gaps between community members and contract holders on one



Results of LCT Activities

- Increased media discussion on procurement and contracting activities linked to the MCC
- Increased involvement of community members in monitoring and reporting the activities of the CBEs
- Timely collection of refuse by CBEs due to the constant monitoring and involvement of the communities in their activities
- Improved transparency in the procurement of CBEs by the MCC
- Increased MCC, Municipal contractors, and citizen interaction
- Communities are empowered with knowledge on municipal contract monitoring
- Enhanced knowledge of citizens about the roles of MCC, primary and secondary waste collection in Monrovia
- Increasing public trust in municipal authorities to redress any conflict arising from garbage collection
- CBEs are now answerable to the communities they serve, rather than to the Municipal Authority.

hand, and the community members and MCC's leadership on the other. Overall, the communities gained knowledge of the required responsibilities of the contractors and how to report contractual default to the MCC. The number of community members calling on radio programs to comment on CBEs and secondary contractors' work has increased, as documented in the recordings of radio programs the LCT received from stations, and individual testimonies.

The initial low participation of communities in CMT and CBE selection improved following better understanding of the procurement policies as a result of training activities. A majority of the residents who took part in some of the LCT's activities were unhappy with their level of involvement in CBE selection and CMT formation, but they still believed that the project was a very good initiative. Some communities, which had no suitable dumps before the inception of the project, but were provided with sites during implementation, hailed the intervention of MCC and its donor partners for initiating the CBE concept to improve

garbage collection. Through trained community monitors, daily checks on CBEs' work in their assigned areas are now being carried out. On weekly basis, the monitors check CBEs for timeliness of garbage collection, fees charged for garbage collection, and community involvement in the formation of CBEs and CMTs. This has increased CBE proactiveness in garbage collection.

The role of the LCT in bringing up issues for discussion was greatly appreciated by the MCC, the CBEs and the communities, because LCT's activities commenced the process for resolving most of the waste management conflicts which were brewing in the communities. Even where issues were not fully resolved, they no longer resulted in conflicts because the people involved were satisfied that at least they had been discussed. The MCC has expressed commitment to ensuring compliance by contractors, including punishing them for violating environmental standards, but as yet no action has been taken against any of the violators.

Outcomes

The nature of the project makes it difficult to ascertain impact to the city and community at the present. However, some critical outcomes have been documented. There is currently multistakeholder engagement on projects being implemented by the MCC to solicit the inputs of communities to projects and their outcomes. The MCC complies with the Public Procurement and Concession Commission Law in sanitation and other public contracts, and this has resulted in compliance by contractors to the contract terms. Citizens are now more empowered to ask for details of contract and to ask questions about projects that are being implemented by the



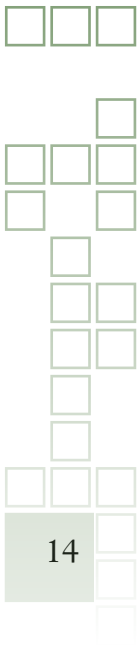
city. There is also increased dialogue on ongoing projects between the city and the communities they serve, which is enhancing commitment and ownership of communities to projects.

Lessons Learned

A project that involves a multiplicity of stakeholders such as this project was likely to face the challenge of meeting their various expectations and needs. The participatory stakeholder approach adopted by the LCT in its activities built consensus and reduced the differences among stakeholders. Because the communities did not participate in the selection of the CMTs or that of the CBEs meant they were reluctant to embrace the project, the intervention of the LCT and the various subsequent engagements with the communities helped to build trust and bolster community. The lack of proper coordination among the government agencies made the management and supervision of the project difficult. Patience and focus is required to achieve development objectives. As they participate, communities develop the resilience to wait for results. Although the objectives of reducing filth in the city has not been fully achieved, community members were satisfied to know that something was being done about it, and they knew where and how to report poor service providers.

“We trying our best to monitor these contractors but our hands are short so we can’t do it alone. So we call on you the community people and our friends from LCT to report any truck carry dirt without tarpaulin or it being covered”

Mr. Frank Krah
former head of management, MCC



Tasks Implemented

First, the coalition identified partners, on the basis that, to be effective, a representation from various stakeholders was necessary. The coalition therefore ensured the inclusion of BPE, the regulatory agency; the private sector, represented by NSE, the engineering professional body; an investigative journalist specializing in development reporting; and civil society organizations (CSOs).

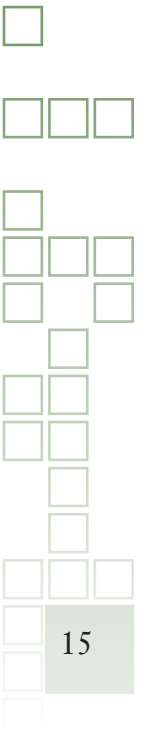
The coalition set up a technical committee made up electrical engineering experts to develop an infrastructure rating template. In consultation with various entities, led by the NSE, the coalition developed a template for the monitoring of the selected power projects. Thereafter, the coalition conducted training in the procurement process and project implementation monitoring for engineers and members of CSOs. The training modules equipped participants with knowledge to enable them to effectively monitor power sector procurement processes right from project conception to contract award, and then on to project implementation. The coalition also trained the observers on how to use the procurement monitoring tools in consultation with a wide range of stakeholders. Shortly after completing their training, the monitors were deployed to monitor the designated projects within their locations. Every monitor received an identity card and all the training materials used at the workshop. Actual monitoring soon proved to be a challenge, as the monitors had no access to procurement information, despite requests for project information and the ruling by the court.

While monitoring was underway, the coalition felt the need to sharpen their message through media collaboration. Therefore a capacity building workshop was organized for journalists from media houses. This effort created awareness and built capacity of journalists to report on procurement issues. The engagement of media organizations such as the MRA and an investigative journalist in the coalition, contributed to significant media publicity about the coalition's activities. In addition, the coalition produced a documentary highlighting the activities of the coalition, and focusing on the predominant challenge about information access and sharing among stakeholders involved in the project execution.

Challenges

The most significant challenge the coalition faced was the lack of access to procurement information. The coalition took a number of steps to resolve this, including seeking the assistance of the Federal Ministry of Finance and the Nigerian Electricity Regulatory Commission (NERC). Although the electricity regulators responded with advice on next steps, this did not provide the information needed. The coalition therefore filed a lawsuit at the Federal High Court in Abuja to compel the Power Holding Company of Nigeria (PHCN), the procuring entity, to make available the requested information. The court ruled in favor of the coalition, and the PHCN cooperated with the coalition thereafter. Following the ruling, other state agencies also cooperated.

The coalition also realized that one of the problems in information access was the lack of documentation and a lack of binding obligations. This made it difficult for all parties to verify performance based on pre-defined standards and agreements. The coalition also had to step in to resolve disputes that arose in the communities where they were not informed about the project before take-off. As a result of poor awareness, members of the community resisted the planting of poles in their vicinity. This hampered the work of the contractor, but through mediation spearheaded by the monitors in Lagos, some of these disputes were resolved while some of the pole sites were relocated (in areas where the dispute was irreconcilable).



Results

The monitoring activities revealed that project implementation was very slow. When monitoring began, contract execution had barely commenced, even though project documents indicated that the project ought to have been close to completion. The coalition therefore recommended a revision to the project schedule to reflect the newly estimated timelines for project execution. The project was therefore extended from March 25th, 2013 to December 15th, 2013 with a penalty clause, if the project is not completed by July, 2014. Further, the monitoring and recommendations by the engineers ensured that poles that had been erected wrongly were relocated as appropriate. The monitoring project has succeeded in stirring conversation and information-sharing among internal project stakeholders. The project has also served as a mediator in communities where poor communication was a hindrance at the point of implementation.

The results of the activities of the Nigeria coalition include: the successful Judicial Review that led to the disclosure of contracting information; the correction of wrongly sited poles brought to light by the monitoring team's action; improved collaboration and information sharing between stakeholders through technical review meetings; and the successful mediation between contractor and community in Lagos by the Coalition.

The monitoring project has succeeded in stirring conversation and information-sharing among internal project stakeholders. The project has also served as a mediator in communities where poor communication was a hindrance at the point of implementation.

There is currently increased reportage and improved analysis in the media of government contracts and increased participation of civil society actors in procurement issues. The coalition has served as a mediator in communities where lack of communication and citizen engagement was a hindrance at the point of implementation. The compilation and dissemination of the coalition's activities through the procurement newsletter has sensitized the public sector organizations involved in procurement activities about the key role they play. The monitoring standards, and templates developed by the coalition are replicable across government departments. The project has served to empower civil society actors and, by extension, the citizenry in the area of transparency and accountability. The judicial ruling ordering the Power Holding Company of Nigeria's (PHCN) to provide access to contract details and to cooperate with the coalition was a big boost to the activities of the coalition. The coalition was encouraged by the Power Holding Company of Nigeria's unreserved compliance with the court's order, their commitment to technical review meetings, and advocacy visits where the most senior management of PHCN and the contractors were always present.

The creation of an online facility to collate and analyze the reports of procurement monitors provides an easily accessible forum. It is expected that the feedback generated from the forum will contribute to existing monthly newsletters and media reports. These reports are expected to serve as a means to prompt citizens to demand accountability for procurement processes and contracts from their perspective.

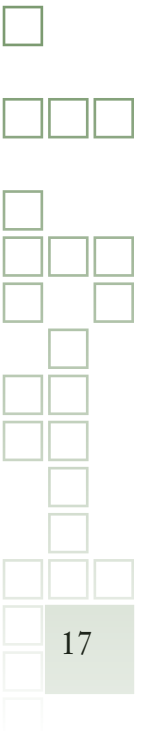
Lessons Learned

Although the coalition did anticipate some challenges in obtaining information on projects, access to information and sharing was even more challenging within implementing institutions. Future project activities on monitoring of projects should ensure that sufficient activities and time are dedicated towards ensuring that information is available for monitoring activities. The inclusion of capacity-building in data management for project implementing organizations was a critical activity because another key challenge faced by the coalition was the lack of documentation



by some implementing institutions and organizations hence making monitoring a challenge, and more importantly, greatly affected actual contract implementation. The selection of the right partners and designation of roles according to expertise was critical to achieving the results of the coalition; in the absence of this partnership it would have been difficult to achieve significant results.

The power project is not yet completed, and impact on the communities where the projects was implemented is yet to be evaluated. In the long term it is expected that the activities of the coalition will lead to improved compliance with procurement laws and regulations. That would lead to better performance by the government representatives who negotiate contracts; and contractors who are expected to deliver on projects. It is also expected that there will be a wider proactive disclosure of contracting information by government agencies to stakeholders' access and use of information without recourse to legal action and increased monitoring of public procurement processes.



V. Sierra Leone: Monitoring World Bank- Funded Public Contracts and Procurement

Introduction

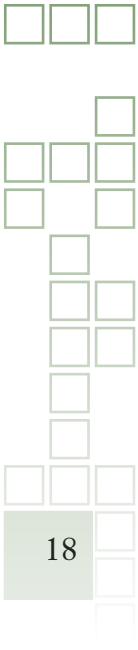
Public procurement features significantly in the operations of the Government of Sierra Leone and its major development partner, the World Bank, generating considerable financial flows and making the state and the Bank the most prominent economic actors in the country. The institutions that monitor and report on procurement and project implementation performance are weak. Therefore, lapses in public financial management and governance have persisted. Also, Sierra Leone has lacked an independent monitoring mechanism for ensuring that public procurements and award of contracts complied with internationally accepted standards. As a result, the public is often ill-informed on issues pertaining to contract monitoring and procurement.

The Contract Monitoring Coalition, Sierra Leone (CMC-SL) is a country level national coalition made up of government, civil society, and media, working on transparency and accountability in public procurement processes in the country. CMC-SL is presently made up of the Society for Democratic Initiatives as the convening institution, the Ministry of Mineral Resources, Ministry of Finance and Economic Development, National Decentralization Secretariat, National Public Procurement Authority (NPPA), Association of Journalists on Mining and Extractives (AJME), Organization for Inclusive Development (OFID) Sierra Leone, Western Area Budget Education and Advocacy Network (WABEAN) and the African Center for Democratic Studies (ACDS), Freedom of Information Coalition.

The objective of the multi-stakeholders coalition is to provide a platform to monitor not only World Bank sponsored projects, but to create a platform to discuss public procurement and contractual issues. It also aims to raise awareness about procurement issues and to work towards enhancing greater transparency and accountability in public expenditure in Sierra Leone. The coalition braces itself to work towards institutional and legal reforms that will create a conducive atmosphere for transparent and accountable public contracting and procurement. In essence, the coalition is not to make procurement process only simple, but to bring it to the people to understand and participate in it.

The Problem

Sierra Leone's public procurement processes are governed by the 2004 National Public Procurement Act. The National Public Procurement Authority (NPPA) acknowledges that the law needs updating to meet international standards. Projects and other development activities undertaken by Institutions such as the World Bank have projects or other development activities often have their own procurement rules, which may be in conflict with the country's law and established practices.



Poor procurement processes and practices have resulted in poor execution of projects with very little to show for in terms of value for money for the people’s tax money and donor funds. Citizens are generally unaware of public procurement processes. They are therefore unable to participate in the procurement process or monitor compliance. The procurement and contract processes employed by the state in implementation of World Bank projects are still unknown to many Sierra Leoneans. Communities know little or nothing about projects implemented within their localities. Beneficiaries know nothing about funds meant for the project or project details. They are therefore unable to hold to account contractors and local public officials responsible for project delivery. This leads to poor project monitoring by the communities. Also, there is no independent monitoring mechanism either by civil society or government Institutions, to ensure international best practice in the award of contracts.

In addition, issues of public procurement and contracting are usually regarded as secluded from public domain. Over the years, the public has shown little or no interest in public procurement and contracts on projects involving infrastructure, health, and education. The lack of such interests created the foundation for inefficiency, mismanagement, and officialdom. In contrast, the media has shown some interest in reporting on breaches of procurement regulations when big corruption scandals emerge, but there is no sustained procurement-related coverage in both the print and electronic media.

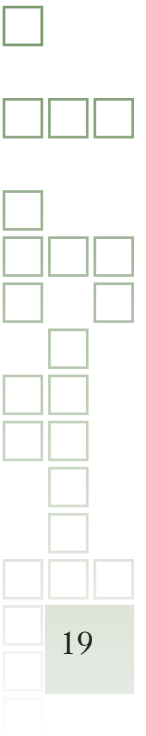
The Sierra Leone Project

With funding from the Institutional Development Fund (IDF), the Ghana Anti- Corruption Coalition (GACC) through the Government of Sierra Leone engaged CMC-SL to enhance and sustain participation of citizens and civil society in public procurement through contract monitoring. CMC-SL would aim to strengthen state accountability by: raising public awareness on World Bank- and government-awarded tenders; monitoring and reporting on government procurement processes; and empowering stakeholders to review contracts to ensure compliance with existing law and policy. Specifically, the project focused on the implementation of World Bank-funded projects the Youth Employment Support Project, The Decentralized Service Delivery and the Education for All (EFA)/Fast track Initiative (FTI).

Tasks Implemented

The Society for Democratic Initiatives, the convening organization, brought together partners and institutions to work on the common agenda of citizen participation in monitoring government procurement and project implementation. These partners were identified from government, civil society, media, and the private sector. In order to cement relationships among them, they signed a Memorandum of Understanding (MOU) to work together and push the issue of public procurement monitoring to the fore. The coalition then set up a management structure with the coordinating/convening institution appointed to lead the process. CMC-SL undertook various media engagements including radio programs to create awareness about the coalition’s activities and to engage the public in the discourse on procurement and its challenges. Concurrent with the media activities and other awareness programs, consultants were engaged to work with the coalition and other government agencies to develop a template to be used in monitoring the selected projects.

Prospective monitors were identified from Local Council areas and communities where projects were being implemented. The identified monitors received training for their tasks, while more experienced members of the coalition were trained to supervise the monitors. The monitors responsibilities included: to conduct field visitation; and engage with community members and contractors working on the projects on specific issues and to report back to the coalition.



Monitoring took place in Freetown and four districts of Makeni, Kenema, Bo and Moyamba. Activities in the districts began with meetings with key members of the Local Councils—the procurement officer, the engineer, and the chief administrator.

As part of its outreach activities, CMC-SL printed manuals on public procurement. This served as a tool for monitoring government projects and offered guiding principles on the overall issues of contracts. Using very simple language, the manual explained what contract and procurement involved, detailed proper bidding processes, and showed how to investigate bids. Copies were printed and distributed nationwide. Additionally, the coalition produced and disseminated a simplified version of the existing National Public Procurement Laws, procurement rules, and regulations for the use of the general public and monitors. Coalition members discussed issues on phone-in programs that allowed the public to give input as well as feedback. The coalition also published *'Procurement Digest,'* a newsletter in which some findings of the monitoring activities were reported.

Challenges

Although the project met most of its planned objectives, its implementation had some challenges. One of the initial challenges faced by the coalition was bringing together government departments, civil society organizations media, and other stakeholders to work together on a project such as procurement and contract monitoring. Several institutions opted out of the coalition as a result. This affected the commencement of activities as time and energy were spent to build trust among the various stakeholders. During implementation, the coalition also faced some challenges with adhering to program requirements including financial reporting and meeting deadlines in spite of several discussions on World Bank fiduciary guidelines. These issues resulted in disbursement delays, which ultimately affected the full scale implementation of some program activities in the initially planned areas of intervention.

The coalition also had challenges in obtaining project documents from the national and district offices, which made it difficult to assess procurement processes and the status of the projects monitored. The limited participation or in some instances non-involvement of the communities in the implementation of the selected projects made it difficult to elicit any information from these sources. Those communities were either not aware of the projects or were not willing to share their experiences, whether positive or negative.

Results

Bringing together government, civil society, media, and the private sector to work as a team on issues of transparency and accountability was a major achievement of the coalition, since there has always been mistrust between government and civil society in Sierra Leone. Sustained engagement and assurance about the neutrality of the CMC-SL made it possible to get government agencies on board. The activities of CMC-SL created public awareness about the numerous development efforts that the World Bank is supporting in Sierra Leone. It also provided education on public procurement technicalities and the laws that the ordinary man would normally not understand. The development of procurement monitoring tools and the simplified procurement law in Sierra Leone was lauded by many users.

The project created opportunity for beneficiary communities to interact with all stakeholders in the project implementation such as contractors, government agencies, and local council members. It enhanced communication among the stakeholders and erased suspicions among the beneficiary communities about the intentions of the government, World Bank, and the implementing agencies. The stakeholder engagements undertaken in the communities created a platform for



Local Council members to seek more information from ministry representatives and dialogue about contracts that have been awarded in their districts. This notwithstanding the key objective of full participation of the districts in the whole procurement process is yet to be achieved.

Now Sierra Leone has a contract monitoring coalition operating with a tested tool that can be adapted or used by other organizations to monitor public procurement and project implementation. Through the awareness created by the coalition, especially in the communities where project activities were implemented and the access to information on contracts and projects, citizens are now able to ask questions which they previously could or did not. They can therefore hold the state and relevant institutions accountable on awarded tenders and compliance with procurement legislations.

Lessons Learned

Cooperation from the Government is needed for success when undertaking projects seeking to promote transparency and citizen monitoring of public projects. Strategies to engage government officials would need to be developed as part of project activities. To facilitate the “buy-in” of beneficiary communities, projects should plan to engage community members as skilled or unskilled workers. For example, in most of the communities where laborers were brought from outside to work on projects, community members were uncooperative and unwilling to share information with the monitors and implementers. The limited or in some instances no prior involvement of the communities proved counter-productive as some were either not ready to participate or would have nothing to do with the said projects without being paid. Going forward, (i) strengthening awareness raising by the coalition and stakeholders alike about development projects will no doubt encourage increased participation of beneficiaries in projects that affect them and efforts to improve transparency and accountability in public procurement.

(ii) Building consensus among coalition members faced by CMC-SL in its early stages was principally due to the different backgrounds and areas of practice of the members. Communication difficulties are to be expected in multi-stakeholder projects and strategies need to be developed for handling different work cultures of participating institutions.

Finally, strengthened efforts to enhance the understanding of CSOs, media, private sector and other stakeholders that make up the monitoring coalitions on program and fiduciary management will significantly improve the quality of program and fiduciary practices. Although, prior to program implementation, the fiduciary assessment of the implementing agency- GACC was satisfactory, provision of capacity building and training workshops to the country coalitions on the World Bank’s financial, disbursement and procurement standards, policies, procedures, documentation, and reporting requirements before full scale project implementation would impact the fiduciary practices of stakeholders. Although not without setbacks and challenges, responsibility remains with the coalitions to adhere to program and fiduciary requirements.

- Strengthening awareness raising by the coalition and stakeholders alike about development projects will no doubt encourage increased participation of beneficiaries in projects that affect them and efforts to improve transparency and accountability in public procurement.
- Building consensus among coalition members faced by CMC-SL in its early stages was principally due to the different backgrounds and areas of practice of the members. Communication difficulties are to be expected in multi-stakeholder projects and strategies need to be developed for handling different work cultures of participating institutions.

Annex 1

List of all participants of the West African Contract Monitoring Program

Organizations/Individuals that participated either during the project inception or implementation but have left the Coalition are highlighted in blue.

Regional Coordinator/Implementing Agency – Ghana Anti-Corruption Coalition
 Florence Dennis (Former Executive Director)
 Beauty Emeфа Narteh (Program Manager; bnarteh@gaccgh.org)

Ghana Country Coalition Members/Organizations

(Contact person: Vitus Azeem; vitusazeem@yahoo.com)

Ghana Integrity Initiative (GII; convening institution), Public Procurement Authority, Private Enterprise Foundation, Revenue Watch Institute, Newmont Mining, Africa Centre for Energy Policy, Ghana, National Peace Council; Public Procurement Authority; Natural Resource Governance Institute (formerly Revenue Watch Institute); Newmont Ghana Gold Ltd; Cost Plan Ghana; Ministry of Roads and Highways; FAT-Africa; Department of Urban Roads; SEND Ghana; Audit Service; and Parliament – Public Accounts Committee.

Liberia Country Coalition Members/Organizations

(Contact person: Thomas D. Nah; tnah@cental.org)

Center for Transparency and Accountability in Liberia (CENTAL; convening institution), Action for Genuine Democratic Alternative (AGENDA), Liberia Chamber of Commerce (LCC), Liberia Extractive Industries Transparency Initiative (LEITI), Public Procurement and Concessions Commission (PPCC), Research and Democratic Development (IREDD), Freedom of information coalition, Liberia Media for Democratic Initiative

Nigeria Country Coalition Members/Organizations

(Contact Person: Seember Nyager ; scarlethread@yahoo.com)

Public and Private Development Centre (PPDC; convening institution), Media Rights Agenda (MRA), Abimbola Akosile (Investigative Journalist), Bureau of Public Procurement (BPP), Centre for Organizational and Professional Ethics (COPE-AFRICA), Initiative for Food, Environment and Health Society (IFEHS); Nigerian Society of Engineers (NSE) .

Sierra Leone Country Coalition Members/Organizations

(Contact Person: Emmanuel Saffa Abdulai; measdrb@yahoo.co.uk)

Society for Democratic Initiatives (SDI, convening institution), the Ministry of Mineral Resources, Ministry of Finance and Economic Development, National Decentralization Secretariat, National Public Procurement Authority (NPPA), Association of Journalists on Mining and Extractives (AJME), Organization for Inclusive Development (OFID) Sierra Leone, Western Area Budget Education and Advocacy Network (WABEAN) and the African Center for Democratic Studies (ACDS), Freedom of Information Coalition, Africa Response, GAWA (Green Actors of West Africa) / EFA (Environmental Foundation for Africa), [AWOKO Newspaper](#), [National Accountability Group](#), [LICO/ Chamber of Commerce](#), [Network Movement for Justice and Development \(NMJD\)](#), [West Africa Democracy Radio](#), [National Advocacy Coalition On Extractives \(NACE\)](#), [Transparency International – Sierra Leone \(TI-SL\)](#).



WORLD BANK GROUP