



**SUMMARY OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL
ASSESSMENT REPORT FOR COUNTY GOVERNMENT OF NYAMIRA FOR
2017/2018 FINANCIAL YEAR**

NOVEMBER, 2018

This report is a product of a Procurement and Asset Disposal Assessment conducted by the Public Procurement Regulatory Authority (the Authority) pursuant to its mandate under the Public Procurement and Asset Disposal Act, 2015 (the Act). Section 9 of the Act bestows on the Authority the responsibility to monitor the public procurement system and report on the overall functioning and recommend any actions required for improvement. Part IV of the Act, further requires the Authority to ensure that the procurement procedures established under this Act are complied with. Specifically, Section 43 of the Act gives the Authority powers to assess procurement and asset disposal records / systems as a way of monitoring compliance.

In view of the above, a procurement and disposal assessment of **Nyamira County Government** was conducted from 12th to 14th November, 2018. The assessment covered procurement and disposal proceedings for the period 1st July, 2017 to 30th June, 2018. The main objective of the assessment was to determine the extent to which the Procuring Entity (PE) complied with the Act and the applicable regulations; circulars and directives issued by the Authority and other generally acceptable professional best practices, in conducting their procurement and disposal activities. The assessment also aimed at identifying strengths and weaknesses (if any), as well as risks inherent in the procurement system and propose remedial measures to address the weaknesses identified.

An entry meeting with the PE's representatives was held on 12th November, 2018 to discuss the scope of the assessment, the assessors' and PE's expectations, access to documentation and other issues relevant to the exercise. For purposes of assessing the procuring entity's compliance and risk levels, the assessors examined sampled contracts and focussed on two broad indicators namely: institutional arrangements, procurement and disposal processes. The sampling was done randomly but in a structured manner to include all item categories (i.e. goods, works, services and disposals) and procurement and disposal methods used during the period under assessment. The review used qualitative and quantitative data collection methods. The methods included interviews, observation, confirmation and examination of records.

The assessment was mainly limited / constrained by weaknesses in the maintenance of procurement records which made the retrieval of procurement records slow and time consuming.

The summary of the key findings based on the two broad indicators were as follows:

The entity had an approved procurement plan for the review period and was in the appropriate format. The procurement function was well established and staffed with procurement professionals and the procurement function reports directly to the AO.

However, the following noncompliance issues were noted:

The County Government did not have an internal procurement manual to provide guidance in carrying the procurement activities, nonetheless only a draft procurement manual was in place. In terms of inventory management, the store was too congested and not properly organized. The quotation box was not in place and procurement files were incomplete.

Upon conclusion of the assessment the overall compliance and risk rating of the PE's procurement and asset disposal system was determined based on compliance and risk rating criteria defined in the Authority's Compliance Monitoring Manual. To this end, the County Government of Nyamira has attained a compliance level of 68.7% is considered marginally compliant and a moderate risk level of 31.3%.

The CGN should ensure that the non-compliance issue identified in the report are addressed since some of them were raised in earlier assessments that were carried out by the Authority. The detailed recommendations for addressing the weaknesses are captured in Section II of this report. The CGN should implement the recommendations within the specified timelines and update the Authority.

