



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

**JANUARY, 2019**

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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 Turkana County Government (the County Government) was conducted from 21<sup>st</sup> to 23<sup>rd</sup> January, 2019. The assessment covered procurement and disposal proceedings for the period 1<sup>st</sup> July, 2017 to 30<sup>th</sup> 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 21<sup>st</sup> January, 2019 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 was occasioned by incomplete procurement files. Thus slowing down the retrieval of the documents needed for the assessment. Further, the County Government did not submit a summary of all procurement and disposal proceedings prior to the commencement of the assessment as instructed in the engagement letter.

The summary of the key findings based on the two broad indicators, institutional arrangements and procurement and asset disposal processes, were as follows:

Among the strengths noted in the institutional arrangements were establishment of a Procurement Function which reports to the Accounting Officer as required by the PPADA; maintenance of an asset register and provision of secure and easily accessible tender and quotation boxes. However, the institutional arrangements had some weaknesses which included failure by the County Government to publicize contract award in its website and notice board; failure to submit reports

on procurement activities to the Authority; lack of procurement and asset disposal manual and failure to maintain complete procurement files with all the relevant procurement records.

With regard to procurement processes, the strengths identified included use of standard tender documents; appointment of tender opening and evaluation committees and preparation of minutes/reports by the two committees; publication of tender opportunities; and preparation of professional opinion by the head of Procurement Function. The procurement processes had some weaknesses which included failure by the tender opening committee to adhere to some of the tender opening procedures like accepting late bids; waiver of some of the evaluating criterion by the evaluation committees; signing of contract before lapsing of 14 days after notification and failure to inform the unsuccessful bidders specific reason/s for rejection of their bids.

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 Turkana* attained a compliance level of **50.1%** which is considered non-compliant and a moderate risk score of **49.9%**.

The procuring entity should undertake urgent measures to ensure that the non-compliance issues identified in the procurement system are addressed. The detailed findings and recommendations for addressing the weaknesses are captured in Section II of this report. The procuring entity should implement the recommendations within the specified timelines and update the Authority on the same for purposes of follow up.

