

**USE OF NATIONAL PROCUREMENT SYSTEMS: VISION OR REALITY?
THE CASE OF AGRICULTURAL DEVELOPMENT AND RURAL POVERTY
REDUCTION INVESTMENTS IN OIL POOR COUNTRIES OF THE MIDDLE
EAST AND NORTH AFRICA REGION**

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ABSTRACT. The paper draws upon 10 years of the author's experience in supervising donor-funded projects in oil-poor countries in the Middle East & North Africa Region. It provides an empirical overview of the results achieved in implementing the Paris Declaration on Aid Effectiveness, highlighting the wide variations between countries in their use of national procurement systems. In order to assess the degree to which the use of national systems is explained by the quality of such systems or by other contextual factors, the study applies a simplified assessment tool on a sample of 5 countries against 14 dimensions of institutional capacity. The results show a strong correlation between the quality of the procurement systems and their use to channel aid, while the volume of aid itself is not linked to the quality of national systems, a fact that contrasts with the goals of the Paris Declaration.

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INTRODUCTION²

The impetus for International Development Co-operation gained momentum in the early 1960s . It has since continued to evolve and is recognised as one of the key factors in advancing global development. But success has not always been evident: lack of co-ordination, overly ambitious targets, unrealistic time and budget constraints and political self-interest have too often prevented aid from being as effective as desired.

In 2005, over 100 donors and developing countries committed to make aid more effective in supporting the achievement of development results when they agreed to the Paris Declaration on Aid Effectiveness. This meeting paved the way for regular High Level Foras to monitor the progress of the implementation of the commitments taken in Paris by donors and partner countries. The use of national systems, both financial and procurement, lies at the heart of these commitments. In this introduction we first summarize the progress made in implementing the Paris Declaration before clarifying the purpose, scope and boundaries of this research.

From Aid Effectiveness To Development Effectiveness

The Paris Declaration was not the beginning of international concern for improving the effectiveness of aid and its contribution to development. It was, however, a landmark refocusing efforts to develop an international plan of action following a long-brewing crisis of confidence and aid-fatigue that characterized the 1990s¹.

The formulation of a set of principles for effective aid grew out of a need to understand why aid was not producing the development

² This introduction draws heavily on two documents of reference: first the OECD "Report on Progress since Paris" - Draft 7-8 July 2011 and, second, the Evaluation of the implementation of the Paris declaration by the Danish Foreign Affairs Ministry (July 2008)

results everyone wanted to see and to step up efforts to meet the ambitious targets set by the Millennium Development Goals (MDGs). These principles are rooted in continuous efforts to improve the delivery of aid, marked by four notable events: the High Level Fora on Aid Effectiveness in Rome, Paris, Accra and Busan in 2003, 2005, 2008, and 2011 respectively.

The principles put forward in the Paris Declaration and Accra Agenda for Action have gained support across the development community. It is now the norm for aid recipients to forge their own national development strategies with their parliaments and electorates (ownership); that donors support these plans (alignment); and streamline their efforts in-country (harmonisation); for development policies to be directed to achieving clear targets that can be monitored (managing for development results); and for donors and recipients to be jointly responsible for achieving these goals (mutual accountability). In the face of the recent financial, security, food, health, climate and energy crises, and to meet the Millennium Development Goals, these principles have gained even more prominence.

The Use of National Systems: A Pathway To Development Effectiveness

Traditionally, many donors have insisted on creating dedicated structures for managing aid projects, using their own rules on financial management and procurement, to ensure their funds are used for the intended purposes (accountability/fiduciary case). While this practice may lower the fiduciary risk, it tends to undermine country capacity and represents a missed opportunity to strengthen the partner's systems for managing all of their development resources, whether or not aid-financed.

In the Paris Declaration, donors made a commitment to increasing their use of country systems for aid management to the maximum extent possible. However, progress in this key area has been slow, due both to the time it takes to strengthen country systems and to continuing donor concerns about fiduciary risk.

There are many compelling arguments for using country systems for aid delivery including to enable developing countries to make better use of all of their development resources, not just aid. Channelling aid through country systems helps strengthen them, while improving alignment, reducing transaction costs and increasing accountability for development initiatives. However, it also entails greater risks for donors that their funds will not reach the intended beneficiaries. Some donors view the greater fiduciary risk involved in using country systems as an acceptable trade-off for the greater development benefits. Others are still bound by rules and procedures that require them to impose their own fiduciary controls.

The Paris Declaration states that using country institutions and systems for managing aid, including Public Financial Management (PFM), accounting, auditing, procurement, results frameworks and monitoring, contributes to aid effectiveness by strengthening the partner country's capacity to develop, implement and account for its policies . It points to the importance of diagnostic reviews and related analytical work to provide an objective of progress over time in strengthening country systems.

Developing countries agree to carry out diagnostic reviews of their systems, and to undertake necessary reforms to ensure that their systems are effective, accountable and transparent. Donors commit to using country systems 'to the greatest extent possible', and where it is not feasible, to establish additional safeguards and measures in ways that strengthen rather than undermine country systems. There are additional commitments on PFM and procurement, regarding diagnostic reviews, long-term reform and capacity-building initiatives, and progressively increasing use of country systems. Donors also agree to avoid creating dedicated structures for managing aid-financed activities (i.e. parallel Project Implementation Units).

Progress Made In Implementing The Paris Declaration (2005-2010)

One of the distinguishing features of the Paris Declaration was the commitment to hold each other to account for implementing its principles at the country level through a set of clear indicators, with targets to be achieved by 2010. To what extent have the

commitments been realised? Is aid being delivered in a more effective way than five years ago? Globally, available survey results show considerable variation in the direction and pace of progress across donors and partner countries since 2005.

Substantial progress was made in the proportion of developing countries with sound national development strategies in place has more than tripled since 2005 while result-oriented frameworks to monitor progress against national development plans and statistics related to the Millennium Development Goals are becoming increasingly available.

One key area of progress in recent years has been the development of objective tools for assessing the quality of country systems according to agreed international standards. Joint reviews enable developing countries and donors gain a common understanding of the strengths and weakness of country systems, and facilitate a joint approach to achieving the Paris targets. This notwithstanding, efforts to improve support for capacity development have been mixed. While donors met the target on co-ordinated technical co-operation, support for capacity development often remains supply-driven, rather than responding to developing countries' needs. Over one-third of all developing countries participating in the 2011 Survey showed an improvement in the quality of their public financial management systems over the period 2005-10. At the same time, one-quarter of them saw setbacks in the quality of these systems.

Donors are using developing country systems more than in 2005, but not to the extent agreed in Paris. In particular, donors are not systematically making greater use of country systems where these systems have been made more reliable. The Paris Declaration set targets for 2010 of 66% of aid to use country systems for PFM and procurement. In the 2007 monitoring survey, utilisation was at 45% and 43% respectively – only 4-5 percentage points better than in 2005. Most of the improvement was a result of the increased use of budget support, which 'automatically' uses country systems. There is disturbing evidence that improvements in country systems are not translating into increased use by donors – suggesting that donor decisions are being influenced by other factors, including their domestic accountability requirements and appetite for risk.

In recognition that this rate of progress was inadequate, the participants at Accra agreed to strengthen the commitments. Donors agree to the use of country systems as the first or default option for activities managed by the public sector. If they choose any other option (including parallel project implementation units), they must transparently state the rationale and review their position at regular intervals. Donors also agree to prepare transparent plans for meeting their commitments on use of country systems, and provide guidance to staff and internal incentives that support use of country systems.

Obstacles To The Use Of National Systems

Development agency and partner country evaluations reveal that, despite clear commitments to alignment, implementation of the various components of alignment set out in the Paris Declaration has been highly uneven. Progress is more visible in aligning aid strategies with national priorities, less so in aligning aid allocations, using and building country systems, reducing parallel Project Implementation Units and coordinating support to strengthen capacity.

The leadership exercised by the host partner country is the prime determinant of how far and how fast alignment will proceed. Successful implementation of the Declaration's reforms is much more likely in countries where understanding and involvement are extended beyond narrow circles of specialists, as has been shown in some promising advances in involving legislatures and civil society in both partner and donor countries.

Among donors, the changes in regulations and practices to delegate greater authority and capacity to field offices have been the most important enabling conditions for successful implementation.

Expectations and uses of the Paris Declaration differ. Views of the Declaration vary from it being a "statement of intent" all the way to it being a set of "non-negotiable decrees". The widespread tendency to focus almost exclusively on selected indicator targets feeds the latter view. The Declaration is seen by some as too prescriptive on countries and not binding enough on donors, and some point to a continuing perception that it is "donor-driven".

When it comes to using country systems “...DFID considers country systems as default position, EC considers budgetary support as the preferred modality, MCC use country system where possible, US Government consider use of country system as an exception rather than a routine practice.....” (German Marshall Fund of the United States, 2008).

The relative priorities among ownership, alignment, harmonisation, managing for results and mutual accountability . There are important synergies and tensions between commitments. Across the board, there are strong indications that movement on the different commitments is in fact mutually reinforcing, but there are also signs of some differences in priorities and possible trade-off s. As implementation advances on several fronts, it is becoming clearer that countries expect donor harmonisation to be country-led, and to be geared to support alignment. Some of the donors are perceived to be emphasising managing for results, selected aspects of mutual accountability and harmonisation, while partner countries tend to be most concerned with strengthening alignment and ownership;

The concern over increased transaction costs to date in changing systems to live up to Paris Declaration commitments and the challenges associated with such costs in implementation need to be tackled. Harmonisation and division of labour have not yet advanced to the point of yielding much relief. Overall, available evaluations do not yet yield a clear view as to whether the net transaction costs of aid will ultimately be reduced from the pre-2005 situation as originally anticipated as a key reason for the reforms, and how the expected benefits (if they exist) will be shared between countries and their Development Partners.

The real and perceived risks and relative weaknesses of country systems are serious obstacles to further progress with alignment. The required commitments, capacities and incentives are not necessarily in place. It should be stressed that the variations in performance are extremely wide. This is because the issue of managing aid better is only part (and often a relatively small part) of managing development priorities in all the partner countries assessed

Efforts by most countries to strengthen national processes and systems are not yet sufficient to support the needed progress, and

not enough donors are ready to help strengthen these systems by actually using them.

How to deal with different contexts is an unresolved issue. Some of the Paris Declaration's targets are deemed unhelpful, unrealistic or insufficiently adapted to diverse conditions. A general finding across the evaluations is that a better balance needs to be struck in recognising and adapting the Paris Declaration to different contexts, while maintaining its incentives for the most important collective and collaborative improvements.

Study Scope and Boundaries

To what extent has the vision embodied in the Paris Declaration of using national procurement systems become a reality with particular reference to oil poor countries of the Middle East and North Africa Region (MENA)? What accounts in this region for the use of national procurement systems? How does it differ from the global case? As illustrated in the previous section there is an important knowledge gap regarding the contextual factors that may affect the implementation of the Paris Declaration, in general, and the use of national procurement systems, in particular.

In this paper we will attempt to assess the extent to which the observed variations in the use of national procurement systems between 2005 and 2010 is explained by the quality of these systems by contrast to other possible contextual driving factors, such as the general quality of governance in the country, the degree of a country's dependence on aid or the level of national income. The analysis of the political factors and transaction costs that certainly contribute to the use or otherwise of national procurement systems are mostly out of the scope of this research.

METHODS

Countries in the Middle East and North Africa region on which this paper gives special focus have generally not participated in a consistent manner in the monitoring surveys of the Paris Declaration indicators. They also do not feature prominently or extensively in

documented case studies on the use of country systems or related topics. It is worth noting that the MENA region is characterized by two important features of relevance to the work: (i) it is the only region that is not signatory to the anti-bribery convention, and (ii) there are important deficiencies in the monitoring and reporting on the implementation of the Paris declaration. For these reasons, the analysis of the performance is primarily based on a cohort of countries (Egypt, Jordan, Morocco, Syria and Yemen) for which the author has direct knowledge and first-hand experience in supervising integrated rural development-donor funded projects in these countries. The choice was however also influenced by considerations pertaining to the representativeness of this sample of countries for the purpose of the study, including different levels of: institutional capacity and general development, legal reform and progress in implementing the Paris Declaration and volume of aid received. The empirical and secondary information gathered were further completed by statistical data on key indicators such as corruption perception index as a proxy for the measure of the quality of governance in each country.

Information has been sourced, where available, from results of OECD-DAC Assessments of National Procurement Systems; reports and findings from other implementing agencies, donors and development partners (such as the World Bank Country Procurement Assessment Report); as well as other institutions working in the procurement domain (i.e. Transparency International or National Public Procurement Authorities).

The assessment was carried out using a hybrid tool developed by the International Fund for Agricultural Development (IFAD) to which the author was one of the main contributors. The tool was designed to assist IFAD staff and consultants when undertaking an assessment of a Borrower/recipient's procurement capacity as required by its Procurement Guidelines. The assessment tool is a simplified version of the OECD Methodology Assessment Tool (MAPS) and the World Bank's Procurement Assessment Checklist adapted to IFAD's needs. The development of such tool was prompted by the fact that although national level data on legal frameworks and structures are readily available from other sources (World Bank or OECD), experience

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shows that there is very little data available at the decentralised level where most IFAD projects operate.

The tool (presented in Annex 1) provides for an evidence based assessment requiring the review of a minimum of 5 procurement transactions (at least one each for goods, works and services, respectively). It covers a range of issues and dimensions from the legal status of the institution being assessed through to the procurement skills of its staff. Each indicator was rated between 1 and 3: 1 – Unsatisfactory; 2 – Partially Satisfactory; 3 - Fully Satisfactory, based on percentage bands to help reduce elements of subjectivity. The percentage bands applied are indicated as follows: 0-25% compliance amongst transaction files reviewed = rating 1(red); 26-74% compliance amongst files witnessed = rating 2 (orange); and 75 – 100% compliance = rating 3 (green)

On the basis of the above criteria, specific areas of weaknesses that require attention and pose risks, have been identified. Ratings have been given on actual, not anecdotal, evidence. The ratings given for each criterion was assessed on its own merit under a category or dimension of capacity, e.g. procurement planning or contract administration, etc. Scores achieved by each country served as the main ranking device.

RESULTS

Progress in Use of National Systems

Countries	Aid M USD	Use of National Public Financial Management Systems				Use of National Procurement systems				
		2005	2007	2010	% progress	USD Millions	2005	2007	2010	% Progress
Egypt	2277	28	12	38	+10 %	984	25%	23	43	18%
Jordan	435	-	26	71	-	356	-	27	82	-
Morocco	1429	-	79	86	-	1255	-	81	88	-
Yemen	-	10	5	-	-	-	13	44	-	-
Global	60731	40	47	49	+9%	26871	40	44	44	+ 4%

There are marked differences in terms of use of PFM systems between Morocco (highest) and Yemen (lowest). However, there is a slight improvement in the use of national systems for all countries, notwithstanding the noted large differences among countries. A similar pattern can be observed for the use of national procurement systems, a fact that suggests that the use of PFM and procurement systems are two strongly related variables. It is also worth noting that this pattern is broadly consistent with global trends that display a two third reduction in the percentage of aid to the public sector not using country PFM systems.

National Procurement Systems Capacity Assessments

The table below summarizes the scores attributed to various dimensions or features of the national procurement systems for the sample countries. The detailed assessments are given in annex 1.

Comparative assessment scores by country

Category	Maximum Score	ACTUAL COUNTRY SCORES BY CATEGORY				
		Yemen	Syria	Egypt	Morocco	Jordan
Procurement Planning	9	4	7	5	8	5
Bidding Documents	21	13	12	13	21	16
Pre-qualification	9	6	4	7	9	8
Advertisement	6	4	3	4	6	4
Communication	6	2	2	2	4	3
Bid receipt/opening	12	8	8	8	12	9
Bid evaluation	15	6	9	8	14	13
Contract award	9	4	6	6	9	9
Contract administration	21	11	13	12	18	17
Organization/function:	6	6	6	6	6	6
Support, control system	6	3	2	3	3	4
Record Keeping	12	6	6	6	9	6
Staffing	3	1	1	2	3	2
Assessor's Note	9	3	3	4	6	6
Total	144	77	82	86	128	108

Color code:

Green: satisfactory; score above 67%

Orange: partially satisfactory; score above 33% up to 67%

Red: unsatisfactory; score of 33% and below.

There are marked differences in the quality of national procurement systems (NPS) among the sampled countries. Morocco and Jordan score highest with a satisfactory level of quality of their NPSs while Yemen is at the lower end of the group. Syria and Egypt have comparable scores of a partially satisfactory level. The priority areas for improvement vary from country to country but staffing and communication deserve priority attention across the board. The qualitative rating by the author (assessor's note) provide further insights as summarized below:

Yemen

With a total score of 53%, the quality of the national procurement system is rated as unsatisfactory. The country's procurement system

is one of the weakest in the Region despite efforts to reform and build capacities. These efforts have been slow and in some instances, faced strong opposition from interest groups currently benefitting from the existing weak systems. The legal and regulatory framework is largely compliant but implementation of the practices and streamlining the processes have lagged behind. This is exacerbated by weak capacities, lack of robust and reliable legal recourse and complaints mechanisms and apathetic or lack of internal audit mechanisms. Some of the explicit shortcomings noted - procurement processes are plagued with fake competition; lack of transparent tendering processes; abusive contract management practices resulting in frequent cost-overruns; split-procurement are common to by-pass procurement thresholds and frequent application of direct contracting under pretexts of urgencies, security concerns and remoteness of locations (while some of these reasons can be considered legitimate their frequency raises concerns since in some instances, it is clear that with advance planning, other competitive options could have been appropriate.

Syria

With a score of 57%, Syria's NPS quality is also rated as partially satisfactory only. While attempts have been made to implement public sector reforms in Syria and to update the procurement legal framework, there are still some significant shortcomings. Specifically, the highly centralised approach and one-entry system leaves room for errors. In addition, the requirement that each procurement transaction requires the signature of the Minister of Agriculture (in this case), is cumbersome. Procurement staff inflexibly apply the procedures and regulations which in some cases have led to high transaction costs in a political context which faces trade embargos limiting competition. Weak capacities, poor record-keeping and poor communication are some of the main hindrances to the national procurement system.

Egypt

The quality of Egypt's National Procurement Systems is rated partially satisfactory too at 60%. Egypt's efforts in public sector reform are considered moderately satisfactory. In its crucial attempts to attract

foreign and private investments to address its budget deficit, Egypt took important steps to respond to donor requirements to revise its public procurement legal framework. However, these reforms, guided by the World Bank, were mainly applied to the legal framework and practically implemented in the areas of taxes, customs and budgets but not directly to the public procurement domain. Generally, public sector reforms by Egypt have been characterised as patchy and short-lived with no comprehensive nor strategic approach envisioned. Considered lacking is a broad-based and persistent support to the reforms spanning the entire public sector exacerbated by weak capacities in the civil service to implement the reforms.

Jordan

Overall the quality of Jordan's National Procurement Systems is rated satisfactory with an average score of 75%. While notable improvements have been achieved by Jordan in tackling corruption and enhancing accountability over the last years, weaknesses still prevail in terms of reporting and capacities in procurement planning and monitoring contributing to high transaction costs.

Morocco

Morocco's national procurement system is rated best of the study sample with an average of 89%. Significant improvements have been made in the context of the public sector reform. In terms of procedures, processes and capacity, the national institutions assessed score relatively high and are considered compliant. However, some shortcomings have been noted - delays in reporting, slow communication and average performance in accountability. It is a practice in this heavily centralised structure to have multiple signatories for the clearance of each transaction; this in effect dilutes the accountability and introduces several layers of ex-ante controls which only serves to stifle efficiency and economic practices.

What Factors Account Most For The Use Of National Procurement Systems?

The results regarding the use of the national procurement systems is presented in parallel with selected possible explanatory factors

including the quality of national procurement systems as assessed in this study, the dependency on Aid, the quality of governance and national income.

FACTORS INFLUENCING USE OF COUNTRY SYSTEMS

Variable	Indicator	Yemen	Syria	Egypt	Jordan	Morocco	Remarks
Use of Country Systems	% total aid using National Procurement System	44	NA	43	82	88	Yemen: 2007 data; Syria: not available
Quality Procurement System	% max score in NPS Assessment	53	57	60	75	89	
Dependency on Aid	Total Development Aid in % of GDP	5	NA	1	4	1.8	Yemen: rapid growth in ODA in 2007-10
Quality of Governance	Corruption Perception Index 2011 (Transparency International)	2.1	2.6	2.9	4.5	3.4	10 very clean; 0 highly corrupt
National Income	GDP (USD per capita at parity purchasing power)	870	4700	2070	2765	5000	

The above data suggests a strong correlation between the quality of the procurement systems and their use to channel aid, while the degree of dependency on aid does not appear to directly influence the use of national systems. These are two different and largely independent orders of reality. When it happens that the national procurement systems are reliable, then the flow of aid will be mainly channelled through them, otherwise it will flow through dedicated parallel structures. Hence, the flow of aid is not linked to the quality of national systems, a fact that is in contradiction with the goals and underlying assumptions of the Paris Declaration.

We also observe a weak correlation between the level of national income and the quality of the procurement system. This fact is important in that it provides a degree of qualification of the commonly received idea that the quality of institutions is a direct function of the general economic level of a country. In other words, higher national incomes do not automatically translate in better institutions as they are mediated by governance factors.

The second most important contributing factor to the use of national systems is precisely the quality of governance as measured by the corruption perception index. Generally, the countries of the Region are on the wrong side of the corruption-cleanness scale. Within this situation, those countries with relatively lower levels of corruption

(higher index) such as Jordan and Morocco, do use their national systems more consistently for channelling aid.

DISCUSSION

In 2009 total ODA from DAC countries totalled about 120 billion dollars. In 2010 it increased by 6.3% in real terms. While the five sample countries represent some 3% of total ODA flow, the region, is generally not dependant on Aid to any significant extent.

As to the response to the central research question of what accounts for the observed variations in the use of national systems, available evidence strongly suggests that the **use of national system is primarily a function of the quality of those systems which in turn is broadly correlated with the quality of the country governance.** In other words, a good assessment score of the NPS combined with a good CPI offer a good predictor of the potential use of country systems for channelling aid, but it is not a good predictor of the volume of aid itself, quite in contrast with the expectations of the parties to the Paris Declaration. The priority areas for improvement of NPS vary for each country and can be deducted from the comparative assessment matrix.

The assessment of NPS capacities has been made with particular reference to small and medium scale rural poverty reduction investments. The burden of implementing these kind of project often falls on the weakest institutions. Large procurements can generally rely on significant institutional capacities and skills but these small and medium scale development projects often implemented in remote and disadvantaged areas do not normally have access to these higher capacities even when they exist in the country. **Therefore the issue of the use of national systems has to be assessed in its local and investment context too.** Poverty reduction projects in marginal areas have a double and simultaneous challenge to meet, that is to implement the projects while simultaneously building the capacities needed to meet their objectives. The issue of the use of national procurement systems boils down to a question of

how to build better capacities in existing national systems, both as a means and as an end.

However, the measures of aid impact for poverty reduction projects often regard expenses for management and institutional development as quasi leakages from the flow of funds that should go as directly as possible to the beneficiaries. As a result, the need for adequate capacity building is often not adequately catered for. In addition, the recipient Governments themselves, especially their Ministries of Finance, are often reluctant to borrow money for 'non-productive' purposes. They typically favour infrastructure, technology, productive investments, inputs that are expected to generate economic growth while capacity building, training, technical assistance, proper salaries and remunerations are minimised to the extent possible. In such contexts, the question of whether or not to use national procurement systems represent a real dilemma between throwing money into ineffective systems with poor development impact or to create those famous parallel structures but that leave the country with no real ownership and jeopardise the sustainability of such investments.

How to develop capillary public procurement capacities that are able to support the implementation of poverty reduction and local development interventions at an affordable cost is the challenge faced by countries and donors engaged in grassroots level poverty reduction efforts.

Strengthening the capacities of partner country systems to manage aid effectively, and linking effectively the volume of the Aid to the international recognition of those capacities where they already exist, are key avenues for further advancing the implementation of the Paris Declaration reforms. Using those systems, while accepting and managing the risks involved, is the best way that donors can help build both capacity and trust.

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ANNEX 1 NATIONAL PROCUREMENT SYSTEMS' ASSESSMENTS

COUNTRY: YEMEN (National Level)	
NAME OF ENTITY/AGENCY BEING ASSESSED: Ministry of Planning & International Cooperation and Ministry of Agriculture	
DATE OF ASSESSMENT: 2011-12	
FAD ASSESSMENT TEAM: Dina Saleh	
GENERAL FEATURES	
What is the legal corporate status of this agency? (i.e. a government department, a state corporation, a parastatal enterprise?) Do the national laws and regulations apply to this agency? Refer to existing assessment tools (i.e. CPAR, OECD assessment) for analysis of the legal system.	Government Agency
Rating scale: 3 - Fully Satisfactory, 2 - Partially Satisfactory, 1 - Unsatisfactory.	RATING (enter 1, 2 or 3)
PROCUREMENT PLANNING	
Are procurement plans prepared ahead of time as a norm and realistic? (see handbook module E)	1
Are the methods of procurement being used in accordance with the national framework?	2
Are project components appropriately packaged for procurement purposes? (see handbook module E)	1
BIDDING DOCUMENTS	
Does the agency have capable staff for preparation of bidding documents?	1
What is the general quality of documentation produced by the agency? Identify improvements needed.	1
Are technical specifications and Terms of Reference clear, neutral and accurate (including schedules of requirements)?	1
Do standard bidding documents (either national or international) exist for goods, works and consultants? If so list them.	3
Do bidding documents contain all information necessary (see modules H1-3 of the Procurement Handbook) to prepare responsive bids and clearly communicate the evaluation criteria?	2
Are the contractual conditions contained in the bidding documents include the minimum requirements to ensure adequate protection for the procuring entity? (See General Conditions of Contract, WS template and the national procurement laws)	2
Are standard purchase orders (or equivalent order) used for shopping?	3
PRE-QUALIFICATION	
Is pre-qualification carried out when appropriate? (see Handbook module G for when pre-qualification may be appropriate)	3
Do pre-qualification documents clearly and completely describe all requisites for submitting responsive applications and the qualification requirements?	2
Is financial information required and analyzed to assess financial capabilities to perform contracts?	1
ADVERTISEMENT	
Are contracts to be awarded by competitive bidding publicly advertised in a widely circulated media?	2
Is the required minimum time allowed to obtain documents and prepare bids observed? (check the national regulations for minimum timescales)	2
COMMUNICATIONS BETWEEN BIDDERS AND THE PROCURING AGENCY	
Are requests for clarifications answered promptly and completely in a written form and communicated to all prospective bidders?	1
Are clarifications, minutes of the pre-bid conference, if any, and modifications of the documents promptly communicated to all prospective bidders?	1

USE OF NATIONAL PROCUREMENT SYSTEMS

2275

YEMEN (2)	RATING (enter 1, 2 or 3)
RECEIPT OF BIDS AND OPENING	
Are bids received prior to the deadline securely stored (i.e. secure tender box or other lockable facility)?	2
Are public bid openings conducted?	2
If public bid openings are conducted, are they done within 48 hours following the deadline for submission?	2
Do bid opening procedures generally follow those specified in the Guidelines? Are minutes kept?	2
BID EXAMINATION AND EVALUATION	
Are evaluations conducted by a suitably qualified evaluating committees? (see Handbook module L1 for guidance)	1
Is responsiveness determined on the basis of the documentary requirements described in the documents?	1
Are bid evaluations carried out thoroughly and on the basis of the criteria specified in the documents?	1
Are evaluations completed within the original bid validity period?	2
Are bid evaluation reports prepared containing all essential information (see Handbook group L for details)	1
CONTRACT AWARD AND EFFECTIVENESS	
Are contracts required to be awarded to the lowest evaluated responsive bidder who has been determined to be qualified to perform the contract satisfactorily?	1
Are unsuccessful bidders informed in writing that they have not won the contract?	1
Are conditions precedent to contract effectiveness clearly defined in the contract? (i.e. performance security, advance payment etc)	2
CONTRACT ADMINISTRATION	
Is there a contract monitoring system, either in manual or electronic format, in use? Review sample	2
Is there a process being used to monitor delivery of goods and services to verify quantity, quality and timeliness?	2
Are contract amendments handled promptly in accordance with the contract conditions and established practice? (see Handbook module N2)	1
Are contractual disputes handled in accordance with a formal complaints /arbitration system? (see Handbook module O)	1
Are works contracts supervised by Independent Engineers or a named Project Manager?	2
Are contracts completed on schedule and within the originally approved contract price?	1
Are final payments and contract final closure handled in accordance with the relevant national procedure (or if no procedure exists, in line with Handbook module O)?	2
ORGANISATION AND FUNCTIONS	
Do procurement staff have access to copies of the national procurement regulatory framework (i.e. law, regulations, manuals/user guides)?	3
Are the procurement and financial management functions separated?	3
SUPPORT AND CONTROL SYSTEMS	
Independent auditing arrangements are in place and audits are undertaken	2
Does the unit have access to legal advice and is there evidence that it utilises that service?	1

2276

YEMEN (3)	RATING (enter 1, 2 or 3)
RECORD KEEPING	
Does the agency maintain a complete record of the process? This would include e.g. copies of all public advertisements, pre-qualification documents (if used), the pre-qualification evaluation report documenting any decisions not to pre-qualify certain potential bidders, the bidding documents and any addenda, a record of any pre-bid meetings, the bid opening minutes, the final bid evaluation report (including a detailed record of the reasons used to accept or reject each bid, copies of bids, appeals against procedures or award recommendations, a signed copy of the final contract and any performance and advance payment securities issued, etc.	2
Are adequate contract administration records maintained? (These would include contractual notices issued by the supplier, contractor, purchaser or employer; a detailed record of all change or variation orders issued affecting the scope, quantities, timing or price of the contract; records of invoices and payments; progress reports; certificates of inspection, acceptance and completion; records of claims and disputes and their outcome, etc.)	2
Are periodic reports prepared on overall procurement activities?	2
Is a record of contract prices maintained? How is it used? To establish national price indices?	NA
STAFFING	
Is the agency staffed with trained procurement personnel in line with any requirements within the national regulatory framework?	1
Overall score (including assessor's score on context) : 77/144 points or 53% average grade	
Assessor's Note on contextual factors influencing the performance of the national procurement system	3/9
<p><i>Yemen's procurement system is one of the weakest despite concerted efforts to reform and build capacities. These efforts have been slow and in some instances, faced strong opposition from interest groups currently benefiting from the existing weak systems. The legal and regulatory framework is largely compliant but implementation of the practices and streamlining the processes have lagged behind. This is exacerbated by weak capacities, lack of robust and reliable legal recourse and complaints mechanisms and apathetic or lack of internal audit mechanisms. Some of the explicit shortcomings noted - procurement processes are plagued with fake competition; lack of transparent tendering processes; abusive contract management practices resulting in frequent cost-overruns; split-procurement are common to by-pass procurement thresholds and frequent application of direct contracting under pretexts of urgencies, security concerns and remoteness of locations (while some of these reasons can be considered legitimate their frequency raises concerns since in some instances, it is clear that with advance planning, other competitive options could have been appropriate.</i></p>	

USE OF NATIONAL PROCUREMENT SYSTEMS

2277

COUNTRY: MOROCCO (National Level)	
NAME OF ENTITY/AGENCY BEING ASSESSED: Ministry of Economy & Finance (Budget & Treasury) and Provincial Agricultural Administrations	
DATE OF ASSESSMENT: 2011-12	
IFAD ASSESSMENT TEAM: Dina Saleh	
GENERAL FEATURES	
What is the legal corporate status of this agency? (i.e. a government department, a state corporation, a parastatal enterprise?) Do the national laws and regulations apply to this agency? Refer to existing assessment tools (i.e. CPAR, OECD assessment) for analysis of the legal system.	Government Agency
Rating scale: 3 - Fully Satisfactory, 2 - Partially Satisfactory, 1 - Unsatisfactory.	
RATING (enter 1, 2 or 3)	
PROCUREMENT PLANNING	
Are procurement plans prepared ahead of time as a norm and realistic? (see handbook module E)	3
Are the methods of procurement being used in accordance with the national framework?	3
Are project components appropriately packaged for procurement purposes? (see handbook module E)	2
BIDDING DOCUMENTS	
Does the agency have capable staff for preparation of bidding documents?	3
What is the general quality of documentation produced by the agency? Identify improvements needed.	3
Are technical specifications and Terms of Reference clear, neutral and accurate (including schedules of requirements)	3
Do standard bidding documents (either national or international) exist for goods, works and consultants? If so list them.	3
Do bidding documents contain all information necessary (see modules H1-3 of the Procurement Handbook) to prepare responsive bids and clearly communicate the evaluation criteria?	3
Are the contractual conditions contained in the bidding documents include the minimum requirements to ensure adequate protection for the procuring entity? (See General Conditions of Contract, WB template and the national procurement laws)	3
Are standard purchase orders (or equivalent order) used for shopping?	3
PRE-QUALIFICATION	
Is pre-qualification carried out when appropriate? (see Handbook module G for when pre-qualification may be appropriate)	3
Do pre-qualification documents clearly and completely describe all requisites for submitting responsive applications and the qualification requirements?	3
Is financial information required and analyzed to assess financial capabilities to perform contracts?	3
ADVERTISEMENT	
Are contracts to be awarded by competitive bidding publicly advertised in a widely circulated media?	3
Is the required minimum time allowed to obtain documents and prepare bids observed? (check the national regulations for minimum timescales)	3
COMMUNICATIONS BETWEEN BIDDERS AND THE PROCURING AGENCY	
Are requests for clarifications answered promptly and completely in a written form and communicated to all prospective bidders?	2
Are clarifications, minutes of the pre-bid conference, if any, and modifications of the documents promptly communicated to all prospective bidders?	2

2278

MOROCCO (2)	RATING (enter 1, 2 or 3)
RECEIPT OF BIDS AND OPENING	
Are bids received prior to the deadline securely stored (i.e. secure tender box or other lockable facility)?	3
Are public bid openings conducted?	3
If public bid openings are conducted, are they done within 48 hours following the deadline for submission?	3
Do bid opening procedures generally follow those specified in the Guidelines? Are minutes kept?	3
BID EXAMINATION AND EVALUATION	
Are evaluations conducted by a suitably qualified evaluating committees? (see Handbook module L1 for guidance)	3
Is responsiveness determined on the basis of the documentary requirements described in the documents?	3
Are bid evaluations carried out thoroughly and on the basis of the criteria specified in the documents?	3
Are evaluations completed within the original bid validity period?	2
Are bid evaluation reports prepared containing all essential information (see Handbook group L for details)	3
CONTRACT AWARD AND EFFECTIVENESS	
Are contracts required to be awarded to the lowest evaluated responsive bidder who has been determined to be qualified to perform the contract satisfactorily?	3
Are unsuccessful bidders informed in writing that they have not won the contract?	3
Are conditions precedent to contract effectiveness clearly defined in the contract? (i.e. performance security, advance payment etc)	3
CONTRACT ADMINISTRATION	
Is there a contract monitoring system, either in manual or electronic format, in use? Review sample	3
Is there a process being used to monitor delivery of goods and services to verify quantity, quality and timeliness?	3
Are contract amendments handled promptly in accordance with the contract conditions and established practice? (see Handbook module N2)	2
Are contractual disputes handled in accordance with a formal complaints /arbitration system? (see Handbook module O)	2
Are works contracts supervised by independent Engineers or a named Project Manager?	3
Are contracts completed on schedule and within the originally approved contract price?	2
Are final payments and contract final closure handled in accordance with the relevant national procedure (or if no procedure exists, in line with Handbook module O)?	3
ORGANISATION AND FUNCTIONS	
Do procurement staff have access to copies of the national procurement regulatory framework (i.e. law, regulations, manuals/user guides)?	3
Are the procurement and financial management functions separated?	3
SUPPORT AND CONTROL SYSTEMS	
Independent auditing arrangements are in place and audits are undertaken	3
Does the unit have access to legal advice and is there evidence that it utilises that service?	NA

USE OF NATIONAL PROCUREMENT SYSTEMS

2279

MOROCCO (3)	RATING (enter 1, 2 or 3)
RECORD KEEPING	
Does the agency maintain a complete record of the process? This would include e.g. copies of all public advertisements, pre-qualification documents (if used), the pre-qualification evaluation report documenting any decisions not to pre-qualify certain potential bidders, the bidding documents and any addenda, a record of any pre-bid meetings, the bid opening minutes, the final bid evaluation report (including a detailed record of the reasons used to accept or reject each bid, copies of bids, appeals against procedures or award recommendations, a signed copy of the final contract and any performance and advance payment securities issued, etc	3
Are adequate contract administration records maintained? (These would include contractual notices issued by the supplier, contractor, purchaser or employer; a detailed record of all change or variation orders issued affecting the scope, quantities, timing or price of the contract; records of invoices and payments; progress reports; certificates of inspection, acceptance and completion; records of claims and disputes and their outcome; etc.)	3
Are periodic reports prepared on overall procurement activities?	3
Is a record of contract prices maintained? How is it used? To establish national price indices?	NA
STAFFING	
Is the agency staffed with trained procurement personnel in line with any requirements within the national regulatory framework?	3
Overall score (including assessor's score on context) : 128/144 points or 89% average grade	
Assessor's Note on contextual factors influencing the performance of the national procurement system	6/9
<p><i>Significant improvements have been made in the context of the public sector reform. In terms of procedures, processes and capacity, the national institutions assessed score relatively high and are considered as largely compliant. However, some shortcomings have been noted - delays in reporting, slow communication and average performance in accountability. It is a practice in this heavily centralised structure to have multiple signatories for the clearance of each transaction; this in effect dilutes the accountability and introduces several layers of ex-ante controls which only serves to stifle efficiency and economic practices.</i></p>	

2280

COUNTRY: SYRIA (National Level)	
NAME OF ENTITY/AGENCY BEING ASSESSED: Ministry of Agriculture and Agrarian Reform	
DATE OF ASSESSMENT: 2011-12	
IFAD ASSESSMENT TEAM: Dina Saleh	
GENERAL FEATURES	
What is the legal corporate status of this agency? (i.e. a government department, a state corporation, a parastatal enterprise?) Do the national laws and regulations apply to this agency? Refer to existing assessment tools (i.e. CPAR, OECD assessment) for analysis of the legal system.	Government Agency
Rating scale: 3 - Fully Satisfactory, 2 - Partially Satisfactory, 1 - Unsatisfactory.	RATING (enter 1, 2 or 3)
PROCUREMENT PLANNING	
Are procurement plans prepared ahead of time as a norm and realistic? (see handbook module E)	3
Are the methods of procurement being used in accordance with the national framework?	3
Are project components appropriately packaged for procurement purposes? (see handbook module E)	1
BIDDING DOCUMENTS	
Does the agency have capable staff for preparation of bidding documents?	2
What is the general quality of documentation produced by the agency? Identify improvements needed.	1
Are technical specifications and Terms of Reference clear, neutral and accurate (including schedules of requirements)	1
Do standard bidding documents (either national or international) exist for goods, works and consultants? If so list them.	2
Do bidding documents contain all information necessary (see modules H1-3 of the Procurement Handbook) to prepare responsive bids and clearly communicate the evaluation criteria?	1
Are the contractual conditions contained in the bidding documents include the minimum requirements to ensure adequate protection for the procuring entity? (See General Conditions of Contract, WB template and the national procurement laws)	2
Are standard purchase orders (or equivalent order) used for shopping?	3
PRE-QUALIFICATION	
Is pre-qualification carried out when appropriate? (see Handbook module G for when pre-qualification may be appropriate)	2
Do pre-qualification documents clearly and completely describe all requisites for submitting responsive applications and the qualification requirements?	1
Is financial information required and analyzed to assess financial capabilities to perform contracts?	1
ADVERTISEMENT	
Are contracts to be awarded by competitive bidding publicly advertised in a widely circulated media?	1
Is the required minimum time allowed to obtain documents and prepare bids observed? (check the national regulations for minimum timescales)	2
COMMUNICATIONS BETWEEN BIDDERS AND THE PROCURING AGENCY	
Are requests for clarifications answered promptly and completely in a written form and communicated to all prospective bidders?	1
Are clarifications, minutes of the pre-bid conference, if any, and modifications of the documents promptly communicated to all prospective bidders?	1

USE OF NATIONAL PROCUREMENT SYSTEMS

2281

SYRIA (2)	RATING (enter 1, 2 or 3)
RECEIPT OF BIDS AND OPENING	
Are bids received prior to the deadline securely stored (i.e. secure tender box or other lockable facility)?	2
Are public bid openings conducted?	2
If public bid openings are conducted, are they done within 48 hours following the deadline for submission?	2
Do bid opening procedures generally follow those specified in the Guidelines? Are minutes kept?	2
BID EXAMINATION AND EVALUATION	
Are evaluations conducted by a suitably qualified evaluating committees? (see Handbook module L1 for guidance)	2
Is responsiveness determined on the basis of the documentary requirements described in the documents?	2
Are bid evaluations carried out thoroughly and on the basis of the criteria specified in the documents?	2
Are evaluations completed within the original bid validity period?	2
Are bid evaluation reports prepared containing all essential information (see Handbook group L for details)	1
CONTRACT AWARD AND EFFECTIVENESS	
Are contracts required to be awarded to the lowest evaluated responsive bidder who has been determined to be qualified to perform the contract satisfactorily?	2
Are unsuccessful bidders informed in writing that they have not won the contract?	2
Are conditions precedent to contract effectiveness clearly defined in the contract? (i.e. performance security, advance payment etc)	2
CONTRACT ADMINISTRATION	
Is there a contract monitoring system, either in manual or electronic format, in use? Review sample	2
Is there a process being used to monitor delivery of goods and services to verify quantity, quality and timeliness?	2
Are contract amendments handled promptly in accordance with the contract conditions and established practice? (see Handbook module N2)	2
Are contractual disputes handled in accordance with a formal complaints /arbitration system? (see Handbook module O)	1
Are works contracts supervised by Independent Engineers or a named Project Manager?	2
Are contracts completed on schedule and within the originally approved contract price?	2
Are final payments and contract final closure handled in accordance with the relevant national procedure (or if no procedure exists, in line with Handbook module O)?	2
ORGANISATION AND FUNCTIONS	
Do procurement staff have access to copies of the national procurement regulatory framework (i.e. law, regulations, manuals/user guides)?	3
Are the procurement and financial management functions separated?	3

2282

SYRIA (3)	RATING (enter 1, 2 or 3)
RECORD KEEPING	
Does the agency maintain a complete record of the process? This would include e.g. copies of all public advertisements, pre-qualification documents (if used), the pre-qualification evaluation report documenting any decisions not to pre-qualify certain potential bidders, the bidding documents and any addenda, a record of any pre-bid meetings, the bid opening minutes, the final bid evaluation report (including a detailed record of the reasons used to accept or reject each bid, copies of bids, appeals against procedures or award recommendations, a signed copy of the final contract and any performance and advance payment securities issued, etc	2
Are adequate contract administration records maintained? (These would include contractual notices issued by the supplier, contractor, purchaser or employer; a detailed record of all change or variation orders issued affecting the scope, quantities, timing or price of the contract; records of invoices and payments; progress reports; certificates of inspection, acceptance and completion; records of claims and disputes and their outcome; etc.)	2
Are periodic reports prepared on overall procurement activities?	2
Is a record of contract prices maintained? How is it used? To establish national price indices?	N/A
STAFFING	
Is the agency staffed with trained procurement personnel in line with any requirements within the national regulatory framework?	1
Overall score (including assessor's score on context) : 82/144 points or 57% average grade	
Assessor's Note on contextual factors influencing the performance of the national procurement system	3/9
<p><i>While attempts have been made to implement public sector reforms in Syria and to update the procurement legal framework, there are still some significant shortcomings. Specifically, the highly centralised approach and one-entry system leaves room for errors without necessary checks and balances. In addition, the requirement that each procurement transaction requires the signature of the Minister of Agriculture (in this case), is cumbersome. Procurement staff inflexibly apply the procedures and regulations with many of these cases involving high transaction costs in a political context which faces trade embargos thereby limiting essential competition. Weak capacities, poor record-keeping and poor communication are some of the main hindrances to an effective and robust national procurement system in Syria.</i></p>	

USE OF NATIONAL PROCUREMENT SYSTEMS

2283

COUNTRY: Egypt (National Level)	
NAME OF ENTITY/AGENCY BEING ASSESSED: Ministry of Agriculture and Land Reclamation	
DATE OF ASSESSMENT: 2010-12	
IFAD ASSESSMENT TEAM: Dina Saleh	
GENERAL FEATURES	
What is the legal corporate status of this agency? (i.e. a government department, a state corporation, a parastatal enterprise?) Do the national laws and regulations apply to this agency? Refer to existing assessment tools (i.e. CPAR, OECD assessment) for analysis of the legal system.	Government Agency
Rating scale: 3 - Fully Satisfactory 2 - Partially Satisfactory, 1 - Unsatisfactory.	RATING (enter 1, 2 or 3)
PROCUREMENT PLANNING	
Are procurement plans prepared ahead of time as a norm and realistic? (see handbook module E)	2
Are the methods of procurement being used in accordance with the national framework?	2
Are project components appropriately packaged for procurement purposes? (see handbook module E)	1
BIDDING DOCUMENTS	
Does the agency have capable staff for preparation of bidding documents?	1
What is the general quality of documentation produced by the agency? Identify improvements needed.	2
Are technical specifications and Terms of Reference clear, neutral and accurate (including schedules of requirements)	1
Do standard bidding documents (either national or international) exist for goods, works and consultants? If so list them.	2
Do bidding documents contain all information necessary (see modules H1-3 of the Procurement Handbook) to prepare responsive bids and clearly communicate the evaluation criteria?	2
Are the contractual conditions contained in the bidding documents include the minimum requirements to ensure adequate protection for the procuring entity? (See General Conditions of Contract, WB template and the national procurement laws)	2
Are standard purchase orders (or equivalent order) used for shopping?	3
PRE-QUALIFICATION	
Is pre-qualification carried out when appropriate? (see Handbook module G for when pre-qualification may be appropriate)	3
Do pre-qualification documents clearly and completely describe all requisites for submitting responsive applications and the qualification requirements?	2
Is financial information required and analyzed to assess financial capabilities to perform contracts?	2
ADVERTISEMENT	
Are contracts to be awarded by competitive bidding publicly advertised in a widely circulated media?	2
Is the required minimum time allowed to obtain documents and prepare bids observed? (check the national regulations for minimum timescales)	2
COMMUNICATIONS BETWEEN BIDDERS AND THE PROCURING AGENCY	
Are requests for clarifications answered promptly and completely in a written form and communicated to all prospective bidders?	1
Are clarifications, minutes of the pre-bid conference, if any, and modifications of the documents promptly communicated to all prospective bidders?	1

2284

EGYPT (2)	RATING (enter 1, 2 or 3)
RECEIPT OF BIDS AND OPENING	
Are bids received prior to the deadline securely stored (i.e. secure tender box or other lockable facility)?	2
Are public bid openings conducted?	2
If public bid openings are conducted, are they done within 48 hours following the deadline for submission?	2
Do bid opening procedures generally follow those specified in the Guidelines? Are minutes kept?	2
BID EXAMINATION AND EVALUATION	
Are evaluations conducted by a suitably qualified evaluating committees? (see Handbook module L1 for guidance)	1
Is responsiveness determined on the basis of the documentary requirements described in the documents?	2
Are bid evaluations carried out thoroughly and on the basis of the criteria specified in the documents?	2
Are evaluations completed within the original bid validity period?	2
Are bid evaluation reports prepared containing all essential information (see Handbook group L for details)	1
RATING (enter 1, 2 or 3)	
CONTRACT AWARD AND EFFECTIVENESS	
Are contracts required to be awarded to the lowest evaluated responsive bidder who has been determined to be qualified to perform the contract satisfactorily?	2
Are unsuccessful bidders informed in writing that they have not won the contract?	2
Are conditions precedent to contract effectiveness clearly defined in the contract? (i.e. performance security, advance payment etc)	2
CONTRACT ADMINISTRATION	
Is there a contract monitoring system, either in manual or electronic format, in use? Review sample	2
Is there a process being used to monitor delivery of goods and services to verify quantity, quality and timeliness?	2
Are contract amendments handled promptly in accordance with the contract conditions and established practice? (see Handbook module N2)	2
Are contractual disputes handled in accordance with a formal complaints /arbitration system? (see Handbook module O)	1
Are works contracts supervised by independent Engineers or a named Project Manager?	2
Are contracts completed on schedule and within the originally approved contract price?	1
Are final payments and contract final closure handled in accordance with the relevant national procedure (or if no procedure exists, in line with Handbook module O)?	2
ORGANISATION AND FUNCTIONS	
Do procurement staff have access to copies of the national procurement regulatory framework (i.e. law, regulations, manuals/user guides)?	3
Are the procurement and financial management functions separated?	3

USE OF NATIONAL PROCUREMENT SYSTEMS

2285

COUNTRY: Jordan (National Level)	
NAME OF ENTITY/AGENCY BEING ASSESSED: Ministry of Planning & International Cooperation and Ministry of Agriculture	
DATE OF ASSESSMENT: 2010-12	
IFAD ASSESSMENT TEAM: Dina Saleh	
GENERAL FEATURES	
What is the legal corporate status of this agency? (i.e. a government department, a state corporation, a parastatal enterprise?) Do the national laws and regulations apply to this agency? Refer to existing assessment tools (i.e. CPMR, OECD assessment) for analysis of the legal system.	Government Agency
Rating scale: 3 - Fully Satisfactory, 2 - Partially Satisfactory, 1 - Unsatisfactory.	
RATING (enter 1, 2 or 3)	
PROCUREMENT PLANNING	
Are procurement plans prepared ahead of time as a norm and realistic? (see handbook module E)	2
Are the methods of procurement being used in accordance with the national framework?	2
Are project components appropriately packaged for procurement purposes? (see handbook module E)	1
BIDDING DOCUMENTS	
Does the agency have capable staff for preparation of bidding documents?	2
What is the general quality of documentation produced by the agency? Identify improvements needed.	1
Are technical specifications and Terms of Reference clear, neutral and accurate (including schedules of requirements)	1
Do standard bidding documents (either national or international) exist for goods, works and consultants? If so list them.	3
Do bidding documents contain all information necessary (see modules H1-3 of the Procurement Handbook) to prepare responsive bids and clearly communicate the evaluation criteria?	3
Are the contractual conditions contained in the bidding documents include the minimum requirements to ensure adequate protection for the procuring entity? (See General Conditions of Contract, WB template and the national procurement laws)	3
Are standard purchase orders (or equivalent order) used for shopping?	3
PRE-QUALIFICATION	
Is pre-qualification carried out when appropriate? (see Handbook module G for when pre-qualification may be appropriate)	3
Do pre-qualification documents clearly and completely describe all requisites for submitting responsive applications and the qualification requirements?	3
Is financial information required and analyzed to assess financial capabilities to perform contracts?	2
ADVERTISEMENT	
Are contracts to be awarded by competitive bidding publicly advertised in a widely circulated media?	2
Is the required minimum time allowed to obtain documents and prepare bids observed? (check the national regulations for minimum timescales)	2
COMMUNICATIONS BETWEEN BIDDERS AND THE PROCURING AGENCY	
Are requests for clarifications answered promptly and completely in a written form and communicated to all prospective bidders?	2
Are clarifications, minutes of the pre-bid conference, if any, and modifications of the documents promptly communicated to all prospective bidders?	1

2286

JORDAN (2)	RATING (enter 1, 2 or 3)
RECEIPT OF BIDS AND OPENING	
Are bids received prior to the deadline securely stored (i.e. secure tender box or other lockable facility)?	3
Are public bid openings conducted?	2
If public bid openings are conducted, are they done within 48 hours following the deadline for submission?	2
Do bid opening procedures generally follow those specified in the Guidelines? Are minutes kept?	2
BID EXAMINATION AND EVALUATION	
Are evaluations conducted by a suitably qualified evaluating committees? (see Handbook module L1 for guidance)	2
Is responsiveness determined on the basis of the documentary requirements described in the documents?	3
Are bid evaluations carried out thoroughly and on the basis of the criteria specified in the documents?	3
Are evaluations completed within the original bid validity period?	3
Are bid evaluation reports prepared containing all essential information (see Handbook group L for details)	2
CONTRACT AWARD AND EFFECTIVENESS	
Are contracts required to be awarded to the lowest evaluated responsive bidder who has been determined to be qualified to perform the contract satisfactorily?	3
Are unsuccessful bidders informed in writing that they have not won the contract?	3
Are conditions precedent to contract effectiveness clearly defined in the contract? (i.e performance security, advance payment etc)	3
CONTRACT ADMINISTRATION	
Is there a contract monitoring system, either in manual or electronic format, in use? Review sample	2
Is there a process being used to monitor delivery of goods and services to verify quantity, quality and timeliness?	2
Are contract amendments handled promptly in accordance with the contract conditions and established practice? (see Handbook module N2)	2
Are contractual disputes handled in accordance with a formal complaints /arbitration system? (see Handbook module O)	3
Are works contracts supervised by Independent Engineers or a named Project Manager?	3
Are contracts completed on schedule and within the originally approved contract price?	2
Are final payments and contract final closure handled in accordance with the relevant national procedure (or if no procedure exists, in line with Handbook module O)?	3
ORGANISATION AND FUNCTIONS	
Do procurement staff have access to copies of the national procurement regulatory framework (i.e. law, regulations, manuals/user guides)?	3
Are the procurement and financial management functions separated?	3
SUPPORT AND CONTROL SYSTEMS	
Independent auditing arrangements are in place and audits are undertaken	2
Does the unit have access to legal advice and is there evidence that it utilises that service?	2

USE OF NATIONAL PROCUREMENT SYSTEMS

2287

JORDAN (3)	RATING (enter 1, 2 or 3)
RECORD KEEPING	
Does the agency maintain a complete record of the process? This would include e.g. copies of all public advertisements, pre-qualification documents (if used), the pre-qualification evaluation report documenting any decisions not to pre-qualify certain potential bidders, the bidding documents and any addenda, a record of any pre-bid meetings, the bid opening minutes, the final bid evaluation report (including a detailed record of the reasons used to accept or reject each bid, copies of bids, appeals against procedures or award recommendations, a signed copy of the final contract and any performance and advance payment securities issued, etc	3
Are adequate contract administration records maintained? (These would include contractual notices issued by the supplier, contractor, purchaser or employer; a detailed record of all change or variation orders issued affecting the scope, quantities, timing or price of the contract; records of invoices and payments; progress reports; certificates of inspection, acceptance and completion; records of claims and disputes and their outcome; etc.)	2
Are periodic reports prepared on overall procurement activities?	1
Is a record of contract prices maintained? How is it used? To establish national price indices?	NA
STAFFING	
Is the agency staffed with trained procurement personnel in line with any requirements within the national regulatory framework?	2
Overall score (including assessor's score on context) : 108/144 points or 75% average grade	
Assessor's Note on contextual factors influencing the performance of the national procurement system	6/9
<i>While notable improvements have been achieved by Jordan in public procurement over the last years, weaknesses still prevail in terms of reporting and capacities in procurement planning and monitoring which contribute to high transaction costs.</i>	