



Republic of Mauritius

# ANNUAL REPORT 2019/2020

PROCUREMENT POLICY OFFICE

MINISTRY OF FINANCE, ECONOMIC PLANNING AND DEVELOPMENT



ISO Certified:  
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MS ISO 9001:2015

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# FOREWORD



As per section 7B of the Public Procurement Act 2006, the Procurement Policy Office shall, not later than 6 months after the close of every financial year, submit a report on its activities in respect of the previous financial year to the Minister responsible for finance.

In this respect and as per legal provisions, I am pleased to hereby submit the Annual Report of the Procurement Policy Office for the financial year 2019/2020.

It has been an eventful year during which the Policy Office continued to play a key role in the economic landscape of Mauritius.

Over the past year, the staff of the Procurement Policy Office has multiplied its efforts to aim at routinizing electronic procurement in public bodies, especially those which are heavy spenders. The results speak for themselves. Some 55 public bodies already on-boarded the e-Procurement System (e-PS) and the Rodrigues Regional Assembly will soon be on board. The aim now is to meet the objective of Government towards a 100 % adherence.

Procurement is now a criterion in the assessment of World Bank Ease of Doing Business Index. Accordingly, this Office has reviewed its regulations, issued new directives and circulars and amended its standard bidding documents to align same with international best practice.

With a view to improving public procurement, the Procurement Policy Office has engaged with the African Development Bank and the World Bank to carry out an assessment of public procurement in the Republic of Mauritius using the Methodology for Assessing Procurement System (MAPS). A mission from African Development Bank is awaited.

I take this opportunity to thank the previous Director and the Officer in Charge for their commitment and dedication to the cause of public procurement and also the dedicated staff for their innovative, collaborative and inclusive approach in the delivery of their services to this Office and to public bodies. This Office will continue to strive for the continued improvement of public procurement by following world class best practices and emphasise on building the capacity of public officers associated with public procurement in the Republic of Mauritius.

A handwritten signature in black ink, appearing to be 'H. Rambhojun', written in a fluid, cursive style.

H. Rambhojun, OSK  
Director  
December 2020

# VISION, MISSION AND STRATEGIC OBJECTIVES

## VISION

"A world class procurement system for the Republic of Mauritius"

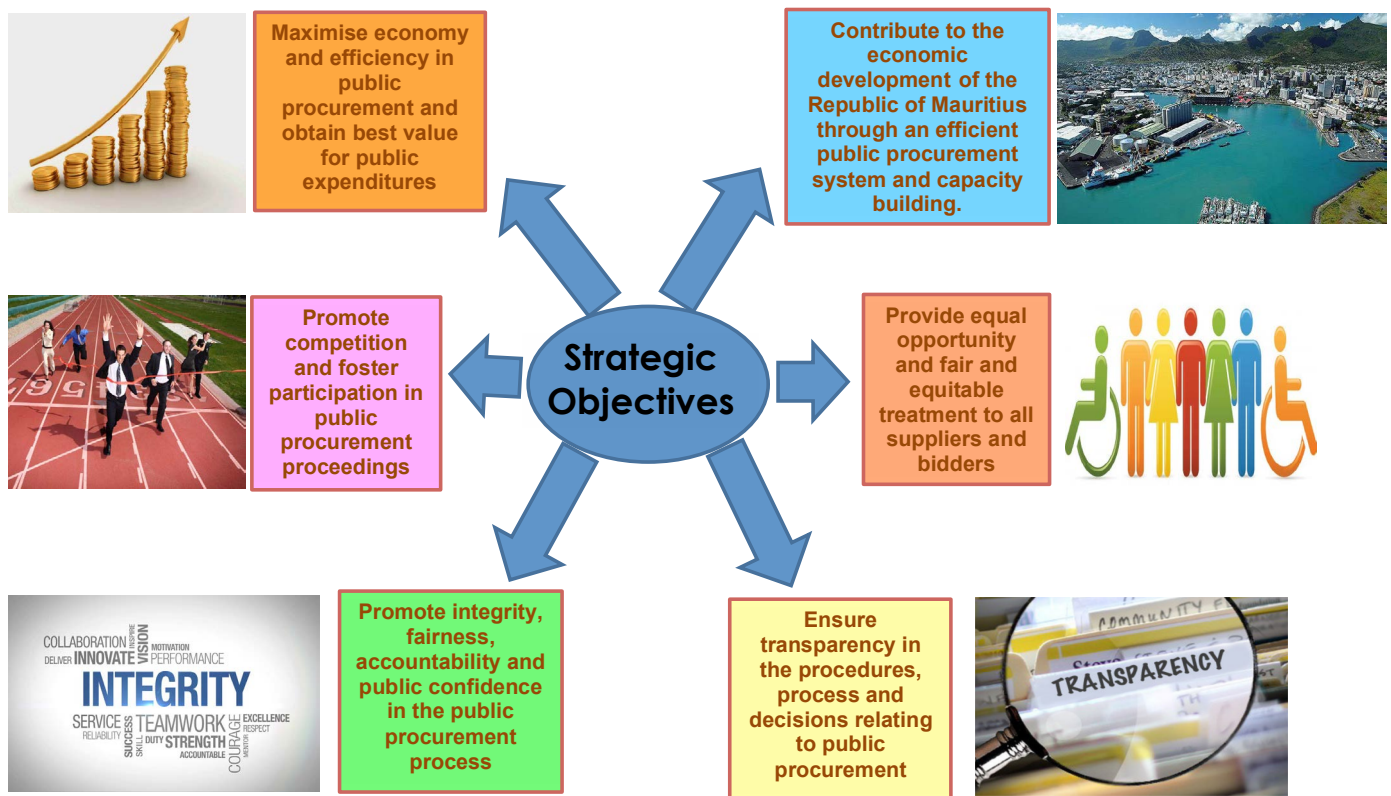


## MISSION

"Promote the development of a modern and efficient public procurement system for Mauritius based on international best practices through close monitoring, regular audits, review, capacity building and research"



## Strategic Objectives





# **PART A** **OVERVIEW**



# PART A - OVERVIEW

- Quick Facts
- The Procurement Legal Framework
- Public Procurement Institutional Structure
- Procurement Policy

## 1.0 Quick Facts

Table 1: Number of Public Procurement Contracts Awarded (above Rs 100,000)

Category of Procurement	2012	2013	2014	2015	2016* (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
Goods	1,666	3,525	4,184	3,792	1,825	3,739	4,366	4,875	4,504
Works	422	596	725	651	462	664	1,135	1,323	1,036
Consultancy Services	26	139	175	113	36	217	133	140	98
Other Services	436	579	856	973	465	868	1,224	1,385	1,068
Total	2,550	4,839	5,940	5,529	2,788	5,488	6,858	7,723	6,706

Source: Figures computed from returns submitted by public bodies (e&oe)

Table 2: Value of Public Procurement Contracts (above Rs 100,000) awarded (Rs B)

Category of Procurement	2012	2013	2014	2015	2016* (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
Goods	4.82	5.34	4.64	5.24	2.53	5.03	6.33	5.99	6.26
Works	3.10	6.14	9.92	3.36	1.90	9.61	9.37	6.60	7.23
Consultancy Services	0.16	0.58	0.52	0.29	0.80	0.32	0.29	0.53	0.16
Other Services	1.63	1.54	1.61	1.60	0.89	1.64	1.52	2.08	1.97
Total value of contracts awarded	9.71	13.6	16.69	10.49	6.12	16.61	17.51	15.19	15.63

Source: Figures computed from returns submitted by public bodies (e&oe)

Table 3: Value of Public Contracts awarded to SMEs (above Rs 100,000)

Category of Procurement	2012	2013	2014	2015	2016* (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
Goods (Rs M)	211.7	757.7	654.7	747.9	498.1	516.9	730.2	787.4	582.8
Works (Rs M)	187.3	650.1	432.7	813.3	321.7	676.6	1,356.2	1,685.8	667.3
Consultancy Services (Rs M)	4.1	27.0	17.2	12.9	6.7	13.6	13.3	24.7	62.9
Other Services (Rs M)	70.0	221.3	252.3	189.1	144.1	226.7	366.7	426.4	251.3
Total (Rs M)	473.1	1,656.1	1,356.9	1,763.2	970.6	1,433.8	2,466.4	2,924.4	1,564.3

Source: Figures computed from returns submitted by public bodies (e&oe)

## PART A - OVERVIEW

Table 4: Value of Contracts awarded to SMEs (above Rs 100,000) as a percentage of Total Value of all Contracts

Value of Contracts	2012	2013	2014	2015	2016* (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
SMEs only (Rs M)	473	1,656	1,357	1,763	971	1,434	2,466	2,924	1,564
All Contracts (Rs M)	9,707	14,666	16,685	10,496	5,412	16,606	17,506	15,194	15,634
Percentage of Contracts to SMEs	4.9 %	11.3 %	8.1 %	16.8 %	17.9 %	8.64 %	14.09%	19.24%	10.01%

Source: Figures computed from returns submitted by public bodies (e&oe)

Table 5: Cases filed at Independent Review Panel

Details	2012	2013	2014	2015	2016* (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
No. of cases	40	35	44	38	15	32	25	16	22
Merit	10	7	20	15	3	12	11	8	4
No merit	13	10	8	9	2	7	8	3	8
Withdrawn	6	13	4	5	6	8	3	4	5
Cases dismissed	4	2	9	2	0	0	0	1	4
Set aside	5	3	3	7	3	5	2	-	1
Cancelled by Public Body	1	0	0	0	0	0	0	-	-
Outside delay	1	0	0	0	1	0	0	-	-
Application Not entertained							1	-	-

Source: Independent Review Panel (IRP) (e&oe)

\* Note: For the period 2011 to 2015 the data is on a calendar reporting year basis. With the change in Government's Budget year reporting from a calendar year to a financial year (July – June) as from 2016, the procurement data as from 2016/17 have been reported on financial year basis.

### 1.1 Constraints for Collecting the Data

1.1.1 The 206 Public Bodies regulated by the Public Procurement Act 2006 are required to submit their Returns on Procurement Activities as per Circular No. 11 of 2020.

1.1.2 The main constraint for the collection of the data for the financial year 2019/2020 was that the majority of public bodies did not submit the Return on Procurement Activities on

# PART A - OVERVIEW

time though reminders were sent to them. The delay had a major impact on the timely preparation of the Annual Report and the Procurement Policy Office (PPO) has had to put a cut-off date for the compilation of the data.

1.1.3 In addition to the above, the following issues have been identified for various cases in the collection of the Return on Procurement Activities for the reported period:

- i. Prescribed Template for the submission of Return was not used;
- ii. Data submitted not limited to the relevant Financial Year;
- iii. Contract amounts were in foreign currency instead of MUR;
- iv. No record submitted for the number of contracts allocated to SMEs;
- v. Fields in the prescribed template were not properly filled (for example, submission with blank columns);
- vi. Incomplete returns (returns submitted for only part of the Financial Year concerned);
- vii. Names of Public Bodies and contact persons were not stated in the returns;
- viii. Nil returns were not submitted; and
- ix. Instead of contract amount, rates were provided.

1.1.4 As announced in the Budget for the Financial Year 2020/2021, use of electronic procurement would now become mandatory for all public bodies as from 1 January 2021. Thereafter, most of the data would be captured through the MIS of the e-Procurement System.

1.1.5 From the list of 206 public bodies reporting to the PPO, 172 of them submitted their returns within the prescribed time frame whereas 34 public bodies did not submit any return.

## 2.0 The Procurement Legal Framework

2.1 Public procurement in Mauritius is governed by the Public Procurement Act 2006, which is based on the earlier version of the United Nations Commission on International Trade Law (UNCITRAL) on Public Procurement, and its accompanying regulations, comprising of:

- a) Public Procurement Regulations 2008;
- b) Public Procurement (Suspension and Debarment) Regulations 2008;
- c) Public Procurement (Disqualification) Regulations 2009;
- d) Public Procurement (Framework Agreement) Regulations 2013;
- e) Public Procurement (Diplomatic Missions Mauritius) Regulations 2014;
- f) Public Procurement (Electronic Bidding System) Regulations 2015; and
- g) Public Procurement (Cancellation of Bidding Process) Regulations 2016



## PART A - OVERVIEW

- 2.2 The Procurement Policy Office (PPO) has, *inter alia*, the responsibility to formulate policies relating to public procurement, including directives, procedures, instructions, technical notes and manuals, for the implementation of the Act and to act as a focal point to guide the Central Procurement Board (CPB) and public bodies with a view to ensuring consistency in the application of the Act and any regulations made under it. The PPO continuously reviews the Act and Regulations and makes recommendations to the Minister for any amendments required to facilitate the implementation of new policies usually announced through the budget.
- 2.3 The Procurement Legal Framework also comprises the Build Operate Transfer (BOT) Projects Act 2016 and the Public Private Partnership (PPP) Projects Act 2004. These regulate projects carried out under the BOT/PPP concepts. It is an arrangement whereby the private sector designs, builds, finances, operates and maintains a facility for a fixed tenure and at the end of which it may be transferred to the government.

### 3.0 Public Procurement Institutional Structure

- 3.1 The Public Procurement legal framework provides for a triple-tier institutional framework comprising the Procurement Policy Office (PPO), the Central Procurement Board (CPB) and the Independent Review Panel (IRP) to support the Public procurement system in Mauritius.

#### ***Procurement Policy Office (PPO)***

- 3.2 The PPO, established under Section 4 of the PPA, is administered by a Director and two members. The Office serves as an independent procurement policy and monitoring body but is not operationally involved in conducting procurement proceeding or resolving procurement disputes.
- 3.3 The Functions of the PPO are to:
- a) issue instructions to public bodies concerning the coordination of their actions with the Office, the Central Procurement Board and the Independent Review Panel;
  - b) where appropriate, designate a public body to enter into and manage a framework agreement on its own behalf and that of other public bodies, or on behalf of other public bodies;
  - c) formulate policies relating to procurement, including directives, procedures, instructions, technical notes and manuals, for the implementation of the PPA;
  - d) issue standard forms of contracts, bidding documents, pre-qualification documents, requests for proposals and other similar documents for mandatory use by every public body implementing procurement;
  - e) collect from the CPB, the IRP and public bodies information on procurement activities and monitor their compliance with the PPA;
  - f) act as a focal point to guide the CPB and public bodies with a view to ensuring consistency in the application of the PPA and any regulations made under the PPA;

## PART A - OVERVIEW

- g) attend to complaints from bidders or suppliers and advise the CPB or public bodies on the appropriate course of action;
- h) recommend, and facilitate the implementation of measures to improve the functioning of the procurement system, including the operation of annual procurement planning, the introduction of information and communications technology and the dissemination of publications and the setting up of websites dedicated to procurement;
- i) prepare and conduct training programmes for public officials, contractors and suppliers concerning procurement;
- j) solicit the views of the business community on the effectiveness of the procurement system;
- k) present an annual report to the Minister regarding the overall functioning of the procurement system;
- l) communicate and cooperate with international institutions and other foreign entities on matters of procurement;
- m) advise on and monitor foreign technical assistance in the field of procurement;
- n) advise the Financial Secretary regarding delegation of financial authority to public officers enabling them to approve contract awards and changes to contracts of a financial nature and the annual review of such delegations; and
- o) perform such other functions as may be assigned to it by the Financial Secretary.

### **Central Procurement Board (CPB)**

- 3.4 The CPB is established pursuant to Section 8 of the Act. It is composed of one chairperson, two vice-chairpersons and three other persons. An overview of the functions of the CPB in respect to major contracts is as follows:
- i. establish appropriate internal procedures for the operations of the Board and ensure compliance with them;
  - ii. vet bidding documents and notices submitted to it by public bodies;
  - iii. receive and publicly open bids;
  - iv. select evaluators, set up bid evaluation committees and oversee the examination and evaluation of bids;
  - v. review the recommendations of a bid evaluation committee and will either approve the award of major contracts or will require the evaluation committee to make a fresh or further evaluation on specific grounds; and
  - vi. approve or reject variation in contract value or amendment proposed by a public body.
- 3.5 In addition to the functions outlined above, BOT Projects Act assigns the following functions to the CPB for BOT projects:
- i. examine and approve the request for proposal documentation to be issued by the contracting authority;
  - ii. evaluate bids in accordance with its rules and procedures;
  - iii. make recommendations to the contracting authority for entering into negotiations with the preferred bidder; and

## PART A - OVERVIEW

- iv. recommend the contracting authority to enter into an agreement with a private party.
- 3.6 With regards to PPP projects, the PPP Act 2004 confers the following responsibilities to the Board for projects:
  - a) ensure transparency and equity in the bidding procedures;
  - b) examine and evaluate the bids received;
  - c) make recommendations to the contracting authority for entering into negotiations with the preferred bidder, and
  - d) approve the award of the project.
- 3.7 As per Section 8A of the Act, the Board shall not later than six months after the close of the financial year, submit a report on its activities in respect of the previous financial year to the Minister, who shall at the earliest available opportunity lay a copy of the report before the National Assembly.

### ***Independent Review Panel (IRP)***

- 3.8 Section 44 of the PPA establishes an Independent Review Panel consisting of a chairperson, a vice chairperson and four other persons appointed to review procurement proceeding following the application of an unsatisfied bidder as per Section 45 of the Act.
- 3.9 The IRP may sit in either one or two divisions to determine cases expeditiously within a specified 30-day period, in the absence of which the contract may be awarded by a public body.

### ***Public Bodies***

- 3.10 The PPA defines a “public body” as any Ministry or Government department, a local authority, a parastatal body, or any such other bodies as specified in the First Schedule of the Act.
- 3.11 Public bodies are bound to carry out their procurement activities in compliance with the Act. As mentioned previously, contracts with values above defined prescribed amounts, as per schedule to the Act, have to be vetted by the CPB. Also, the CPB is responsible for the evaluation and award for such contracts.

### ***Exempt Organisations and Excluded Procurements***

- 3.12 “exempt organisation” is defined, as per Section 2 of the PPA, as a body which is, by regulations, excluded from the application of the Act. Even though these organisations are excluded from the provisions of the Act, yet they have to define their own governance procedures. A list of theses bodies with regards to the specified type of contract for which they are exempted, can be consulted in the First Schedule of the Public Procurement Regulations 2008

# PART A - OVERVIEW

## ***Procurement Operations: Procurement and Supply***

- 3.13 The operational functions of public procurement in ministries and departments fall under the responsibility of the officers of the Procurement and Supply Cadre. This Cadre, headed by a Director and assisted by a Deputy Director, consists of some 450 officers, posted in different Ministries and Departments.
- 3.14 The responsibility of the Cadre is to promote efficient and effective public procurement and supply systems based on international best practices; review and maintain an efficient process of warehousing and disposal; contribute to Mauritius' economic development; provide all suppliers and bidders with equal opportunity/treatment; and ensure transparency in procedures, processes and decisions.

## **4.0 Procurement Policy Measures in 2019/2020**

### ***Public Procurement Act***

- 4.1 The PPA was amended through the Covid-19 (Miscellaneous Provisions) Act 2020 with effect from 23 March 2020 to allow for the opening of a bid through technological means during COVID-19 period or further period as may be prescribed.
- 4.2 The PPO also released Directives during the reported period to:
- i. enable SMEs to benefit from a Margin of Preference of 30% on its locally manufactured goods bearing the "Made in Moris" certification issued by the Association of Mauritian Manufacturers. Same percentage to be applied to the Rodrigues Regional Assembly instead of 15% where the above mentioned conditions are met;
  - ii. enable the State Trading Corporation to apply a Margin of Preference of 15% at evaluation stage to bids submitted by local companies for the supply of wheat flour and "ration" rice processed and produced locally;
  - iii. allow public bodies to have resort to emergency procurement to procure goods, works and other services under Section 21 of PPA 2006, with the objectives to safeguard life, quality of life or environment;
  - iv. request public bodies to ensure that for simple projects not exceeding Rs 100 million, the deadline for bid submission shall not exceed 30 days; and
  - v. apprise public bodies that a bid shall be considered as abnormally low, where it is lower than the updated estimated cost by 15% or more.
- 4.3 During the financial year 2019/2020, the PPO issued Circulars to:
- i. advise public bodies with regards to Contract Price Adjustment following the proclamation of the Workers' Rights Act 2019;

## PART A - OVERVIEW

- ii. request public bodies to set up effective quality control in the preparation of bidding documents to ensure that, prior to launching of bids, bidding documents are free from errors and omissions, thereby avoiding any extension of the deadline for submission of bids;
  - iii. advise public bodies on the procedures for dealing with bidding activities affected by lockdown, such as:
    - a. re-scheduling of bid submission and opening dates for bids where same is falling within the lockdown period;
    - b. for bids that are under evaluation stage or where no award decision has been taken, bidders must be requested to extend the bid validity period by a number of days equal to the duration of the lockdown; and
    - c. wherever applicable, bidders should also be requested to extend the validity of the bid security accordingly.
  - iv. notify public bodies of the nomination of an Officer-in-Charge for the PPO; and
  - v. apprise public bodies that they may consider situations of pandemic and lockdown as cause of delay for the granting of Extension of Time, on a case to case basis.
- 4.4 The Standard Bidding Documents were amended in the reported period to incorporate the following:
- i. Public bodies shall reply to queries from bidders promptly and not later than seven (7) days before the deadline for submission of bids;
  - ii. The Bid Security, Advance Payment Security and Performance Security, where required, are presently in the form of bank guarantees. Bidders may also submit the required securities issued by a local insurance company;
  - iii. Contracts shall be signed within twenty-eight (28) days from date of issue of the Letter of Acceptance;
  - iv. The bidding documents provided for suppliers to be paid not later than fifty six (56) days for Works Contracts from the date of receipt of request for payment, together with all required documents. This time limit has been revised to forty-two (42) days;
  - v. The Certificate of Completion shall be issued within fourteen (14) days from date of completion of the works;
  - vi. The employer shall return the Performance Security for works contracts to the contractor within twenty-one (21) days after receipt of a copy of the Defects Liability Certificate; and
  - vii. The Safety provision (clause 18) of the General Conditions of Contract for Works has been revised to enhance health and safety on site.


# PART A - OVERVIEW

## ***Measures in relation to World Bank Ease of Doing Business***

- 4.5 Mauritius is ranked 13<sup>th</sup> out of 191 countries in the ease of Doing Business for year 2019. As from year 2020, public procurement has become a criterion for assessing countries for the ranking exercise. In this context, the PPO has during the reported period made changes to the PPA, its Regulations and to the General Conditions of Contract for works and new Directives and Circulars were issued.


## ***Build Operate Transfer (BOT) Projects Act and Public Private Partnership (PPP) Act***

- 4.6 The BOT Projects Act and the PPP Act were amended through the Business Facilitation Act in July 2019 to allow the BOT Projects Unit to assist public bodies in the BOT/PPP process. The process was also simplified by replacing the need of feasibility study by 'structuring' of the project.



# **PART B**

## PROCUREMENT TREND



## PART B - PROCUREMENT TREND

- Public Procurement Trend in number and value of public contracts awarded
- Share of SMEs in public contracts
- Cases filed at the Independent Review Panel

### 5.0 Public Procurement Trend in number and value of public contracts awarded

5.1 There are 206 public bodies that fall under the purview of the PPA. However, only 172 public bodies have submitted their Annual Returns on public procurement and thus the data and analysis in this Report are based on such figures.

#### **Number of Contracts Awarded above Rs 100,000**

5.2 A total number of 6,706 contracts above Rs 100,000 was awarded by public bodies during the financial year 2019/2020. This represents an overall decrease of 13.2% of the total number of contracts awarded as compared to the number in the preceding financial year. The decreases per category were 7.6% for goods, 21.7% for works, 30% for consultancy services and 22.9% for other services i.e. non consultancy services. A breakdown of the total number of public procurement contracts, by category, awarded since year 2012 is shown in Table 6 and same is depicted in Figure 1.

Table 6: Number of Public Procurement Contracts Awarded (above Rs 100,000)

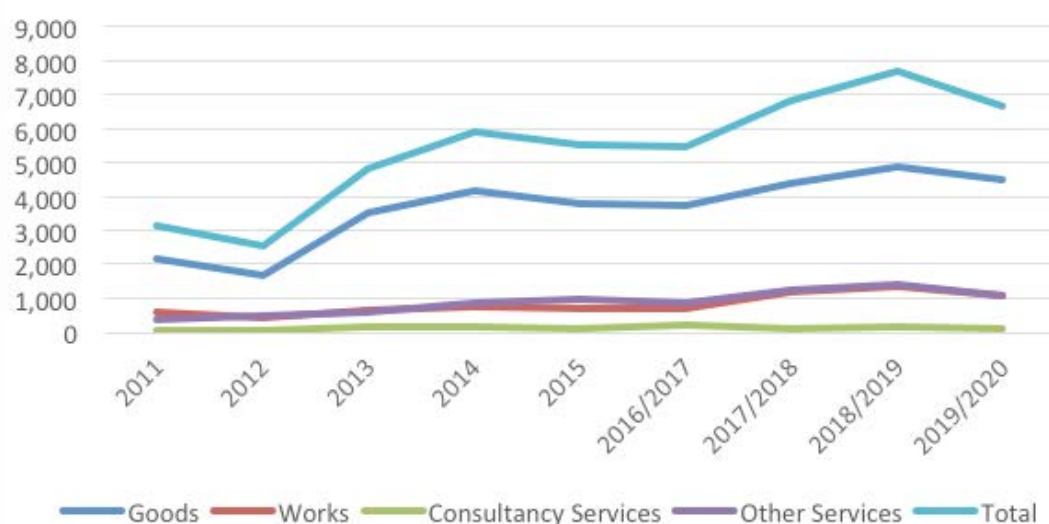
Category of Procurement	2012	2013	2014	2015	2016 (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
Goods	1,666	3,525	4,184	3,792	1,825	3,739	4,366	4,875	4,504
Works	422	596	725	651	462	664	1,135	1,323	1,036
Consultancy Services	26	139	175	113	36	217	133	140	98
Other Services	436	579	856	973	465	868	1,224	1,385	1,068
Total	2,550	4,839	5,940	5,529	2,788	5,488	6,858	7,723	6,706

Source: Figures computed from returns submitted by public bodies (e&oe)



## PART B - PROCUREMENT TREND

Figure 1: Number of Contracts Awarded



### Value of Public Procurement Contracts Awarded above Rs 100,000

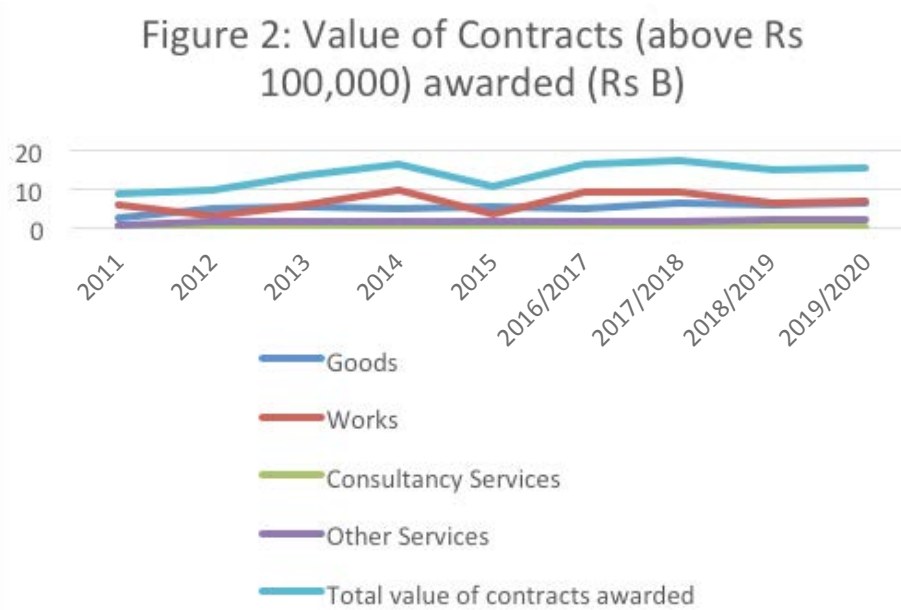
5.3 Despite a 13.2% decrease in the total number of contracts above Rs 100,000 awarded during the reported period, the overall value of these contracts show an overall 2.9% increase as compared to the previous year. This increase is attributed to a rise in the value of goods contracts and works contracts by 4.5% and 9.5% respectively. Table 7 provides a breakdown of the value of contracts above Rs 100,000 awarded per category. Same is depicted in Figure 2.

Table 7: Value of Public Procurement Contracts (above Rs 100,000) awarded (Rs B)

Category of Procurement	2012	2013	2014	2015	2016 (Jan-June)	2016/2017	2017/2018	2018/2019	2019/2020
Goods	4.82	5.34	4.64	5.24	2.53	5.03	6.33	5.99	6.26
Works	3.10	6.14	9.92	3.36	1.90	9.61	9.37	6.60	7.23
Consultancy Services	0.16	0.58	0.52	0.29	0.80	0.32	0.29	0.53	0.16
Other Services	1.63	1.54	1.61	1.60	0.89	1.64	1.52	2.08	1.97
Total value of contracts awarded	9.71	13.6	16.69	10.49	6.12	16.61	17.51	15.19	15.63

Source: Figures computed from returns submitted by public bodies (e&oe)

## PART B - PROCUREMENT TREND



### **Total value of all contracts awarded under PPA**

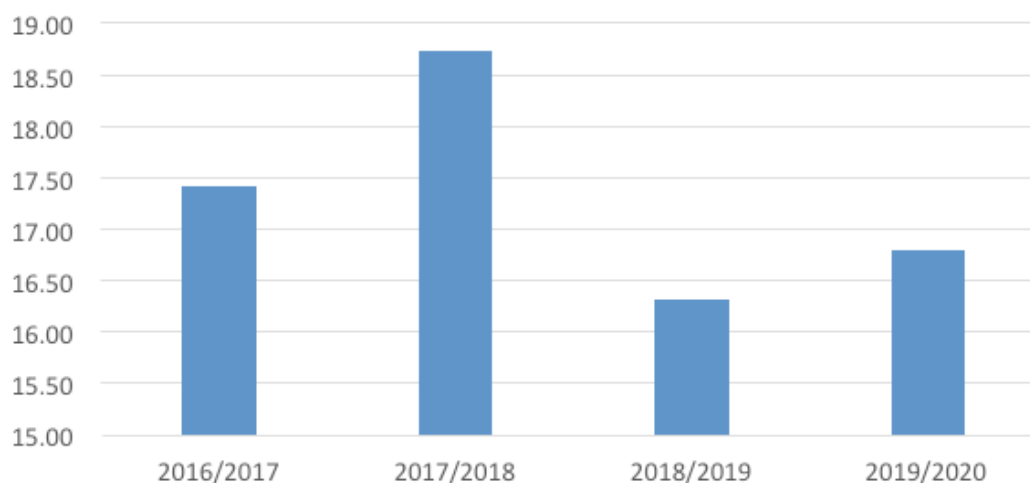
5.4 The total value of all contracts awarded through public procurement, including procurement of contracts below Rs 100,000, has increased over the reported period by 2.9%, as detailed in Table 8 and depicted in Figure 3.

Table 8: Value of Public Procurement (Rs B)

Contract Amount Approved	2016/2017	2017/2018	2018/2019	2019/2020
Above Rs 100,000	16.61	17.51	15.19	15.63
Below Rs 100,000	0.81	1.23	1.12	1.16
Total	17.42	18.74	16.32	16.80

Source: Figures computed from returns submitted by public bodies (e&oe)

Figure 3: Total Value of Public Procurement Contracts (Rs B)



## PART B - PROCUREMENT TREND

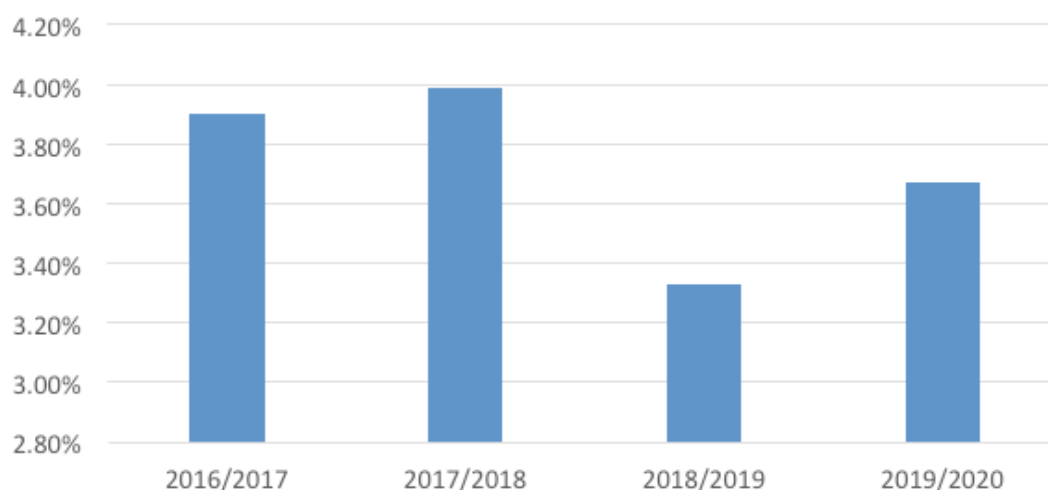
5.5 The value of public procurement contracts awarded as a share of the Gross Domestic Product (GDP) at Market Price has increased from 3.33% to 3.67% from financial year 2018/2019 to 2019/2020. Table 9 shows the evolution of the value of procurement as a percentage of GDP over the past four years.

Table 9: Value of Public Procurement Contracts (Rs B) Awarded as a percentage of Gross Domestic Product (at Market Price)

Procurement Category	2016/2017	2017/2018	2018/2019	2019/2020
Value of contracts awarded	17.42	18.74	16.31	16.80
GDP at current market prices	446.4	469.7	490.6	457.9
Value of contracts as a % of GDP	3.90%	3.99%	3.33%	3.67%

Source: Figures computed from returns submitted by public bodies and from Statistics Mauritius' National Accounts (e&oe)

Figure 4: Value of Contracts as a % of GDP at Current Market Prices



## PART B - PROCUREMENT TREND

### 6.0 Share of SMEs in Public Contracts

6.1 Participation of Small and Medium Enterprises (SMEs) has decreased over the reported period as shown in Table 10, where the total value of contracts awarded to the latter has decreased by 46.5 % in comparison to previous financial year.

Table 10: Value of Public Contracts awarded to SMEs (above Rs 100,000)

Category of Procurement	2012	2013	2014	2015	2016 (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
Goods (Rs M)	211.7	757.7	654.7	747.9	498.1	516.9	730.2	787.4	582.8
Works (Rs M)	187.3	650.1	432.7	813.3	321.7	676.6	1,356.2	1,685.8	667.3
Consultancy Services (Rs M)	4.1	27.0	17.2	12.9	6.7	13.6	13.3	24.7	62.9
Other Services (Rs M)	70.0	221.3	252.3	189.1	144.1	226.7	366.7	426.4	251.3
Total (Rs M)	473.1	1,656.1	1,356.9	1,763.2	970.6	1,433.8	2,466.4	2,924.4	1,564.3

Source: Figures computed from returns submitted by public bodies (e&oe)

6.2 The share in the value of public contracts awarded to SMEs was 10.01% in the reported period as compared to 19.24% in the financial year 2018/2019. Table 11 shows details of these figures with a trend analysis in Figure 5.

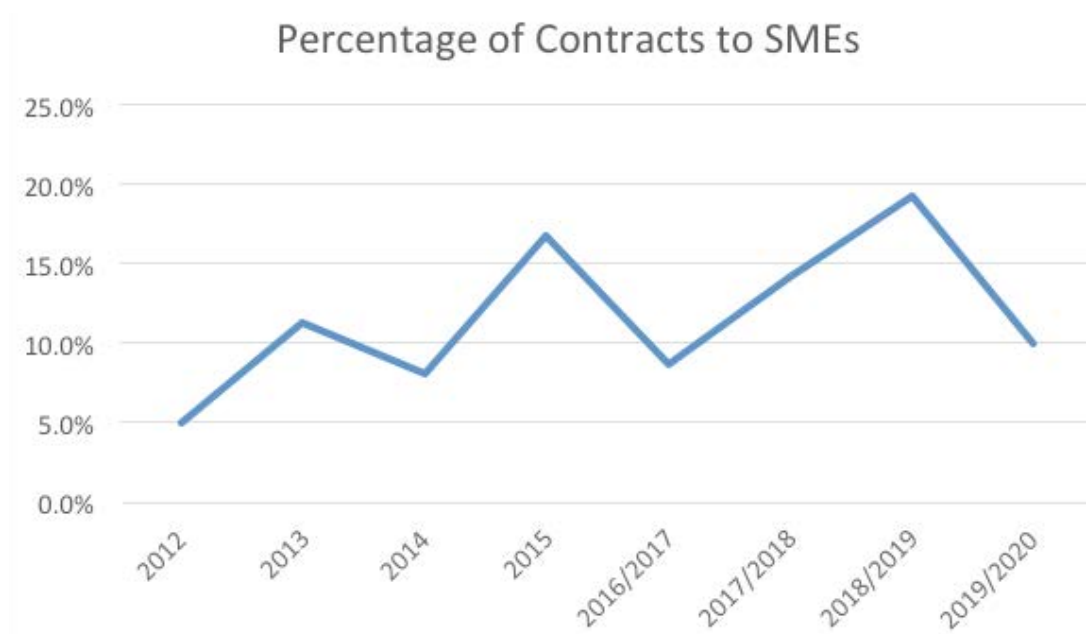
Table 11: Value of Contracts awarded to SMEs (above Rs 100,000) as a percentage of Total Value of all Contracts

Value of Contracts	2012	2013	2014	2015	2016 (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
SMEs only (Rs M)	473	1,656	1,357	1,763	971	1,434	2,466	2,924	1,564
All Contracts (Rs M)	9,707	14,666	16,685	10,496	5,412	16,606	17,506	15,194	15,634
Percentage of Contracts to SMEs	4.9 %	11.3 %	8.1 %	16.8 %	17.9 %	8.64 %	14.09%	19.24%	10.01%

Source: Figures computed from returns submitted by public bodies (e&oe)

## PART B - PROCUREMENT TREND

**Figure 5: Value of Public Contracts awarded to SMEs as % of total value of contracts**



### 7.0 Cases filed at the Independent Review Panel

7.1 A comparative number of cases filed since 2012 at the Independent Review Panel (IRP) is shown in Table 12 along with the results of the determination.


Table 12: Cases filed and determination by IRP Panel

Details	2012	2013	2014	2015	2016 (Jan-June)	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020
No. of cases	40	35	44	38	15	32	25	16	22
Merit	10	7	20	15	3	12	11	8	4
No merit	13	10	8	9	2	7	8	3	8
Withdrawn	6	13	4	5	6	8	3	4	5
Cases dismissed	4	2	9	2	0	0	0	1	4
Set aside	5	3	3	7	3	5	2	-	1
Cancelled by Public Body	1	0	0	0	0	0	0	-	-
Outside delay	1	0	0	0	1	0	0	-	-
Application Not entertained							1	-	-

Source: Independent Review Panel (IRP) (e&oe)

## PART B - PROCUREMENT TREND

- 7.2 The number of cases filed at the IRP during the reported year has increased from 16 to 22 as compared to 2018/2019 but is lower than the number of cases in 2017/2018.



# **PART C**

# **INNOVATION**



- e-Procurement System
- MAPS
- Framework Agreement
- ISO 9001:2015 Certification
- Build Operate Transfer Model of Procurement

### 8.0 e-Procurement System

8.1 The e-Procurement System is a web based software application that enables public bodies and suppliers to conduct all public procurement processes digitally (<https://eproc.publicprocurement.govmu.org>).

#### Implementation

8.2 Since going live on 28 September 2019, there has been a gradual growth of activities in terms of the number of Invitation of Bids processed, e-bids submitted, public bodies embarked and suppliers registered. By 30 June 2020, 55 public bodies had onboarded the e-Procurement System with 1068 invitation for bids issued. This fell short of the target of 90 that was set for 2019-2020 due to relatively little onboarding activities taking place because of the holding of the General Elections in November 2019 and of the COVID-19 pandemic.

8.3 During the reported period, 363 new suppliers registered on the e-PS making a total of 2152 registered suppliers.

#### Capacity Building

8.4 Training and capacity building remains one of the key functions of the Policy Office. The Office prepares and conducts training for public officials, contractors and supplier on the subject of procurement.

8.5 Training has been provided during the financial year 2019/2020 to 114 public officers involving 16 public bodies to conduct procurement either as Initiators/Preparers and Reviewer of Invitation for Bids or as Evaluators to carry out evaluation of Bids. Simultaneously, 255 suppliers were trained on the system.

8.6 Training has also been provided to end users on how to prepare and submit specifications on e-Procurement System ready excel format. The submission of information on e-Procurement System ready excel form enables procurement officers to import the data from the excel into the templates on the system.



# PART C - INNOVATION

## 9.0 Methodology for Assessing Procurement Systems (MAPS)

- 9.1 Methodology for Assessing Procurement Systems (MAPS) is a methodology for a holistic assessment of a country's public procurement system and was originally created by a joint initiative of the World Bank and Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) in 2003/4. It has been widely used by the development banks, bilateral development agencies and partner countries to assess public procurement systems.
- 9.2 The PPO engaged in discussions with the African Development Bank (AfDB) and the World Bank to carry out the assessment using the latest methodology of the assessment known as MAPS II. The AfDB agreed to lead and finance the assessment. In January 2020, a World Bank mission met with PPO's representatives to discuss World Bank's assistance to the MAPS assessment.
- 9.3 Subsequently, whilst the country was in lockdown, representatives of PPO participated in a virtual meeting with representatives of World Bank and AfDB to further discuss MAPS II assessment of the country. At this meeting, the AfDB agreed to lead and finance the MAPS II assessment of Mauritius whilst the World Bank agreed to provide technical assistance. Once the borders are opened, the AfDB plans to send a mission to Mauritius in preparation of the assessment.

## 10.0 Framework Agreement

- 10.1 A Framework Agreement (FA) is an agreement between a lead organization and one or more suppliers, which establishes the terms and conditions whereby the public bodies may procure goods, works and services during the period of the Agreement either through a mini competition or by applying pre-determined rates. Such an agreement may also be entered by a single public body for items specifically needed by it.
- 10.2 The procedures governing procurement under FA has been introduced in 2013 and since then, more than 20 FAs have been implemented by a number of public bodies, namely the National Development Unit, Central Electricity Board, Central Water Authority, Wastewater Management Authority, among others. During the reported period 2019/2020, the PPO collaborated with the following institutions in respect of FAs:

Public Body	Nature of Assistance by the Policy Office
CPB	Reviewing of Framework Agreement for Appointment of Consultants/Consultancy Firm to assist the Central Procurement Board
MTCI	Reviewing of Framework agreement for connectivity services
RRA	Reviewing Framework agreement for procurement of stationeries and toners

# PART C - INNOVATION

## 11.0 ISO 9001:2015 Certification

11.1 The PPO is ISO certified since June 2018 and remains committed to maintain its Quality Management System in order to achieve its mission and satisfy its stakeholders. During the reported period, MSB carried out an external auditing of PPO's processes and renewed the ISO-Certification.

## 12.0 Build Operate Transfer Model of Procurement

12.1 The amendments made to the Build Operate Transfer (BOT) Projects Act and the Public Private Partnership Act, as outlined in paragraph 4.6 of this Report, have allowed the BOT Projects Unit more flexibility to assist public bodies in their projects.

12.2 A summary of the projects for which the Unit was involved in the reported period is provided in Table 13.

Table 13: Progress of BOT/PPP Projects during financial year 2019/2020

SN	Project Title	Contracting Authority	Progress during financial year 2019/2020
1.	Cashless Ticketing System for Public Transport (CTSPT)	National Land Transport Authority	<ul style="list-style-type: none"><li>• Feasibility study prepared by project team, including the BOT Projects Team</li><li>• Request for proposal documentation prepared by the project team</li></ul>
2.	Construction of a Gymnasium & Mini Market at Chooroomoonee Ave, Bassin	Municipal Council of Quatre Bornes	<ul style="list-style-type: none"><li>• Project registered with the BOT Projects Unit</li></ul>
3.	Construction of a Hall of Residence at Reduit	University of Mauritius	<ul style="list-style-type: none"><li>• Project registered with the BOT Projects Unit</li></ul>
4.	Construction of a New Slaughter House	Ministry of Agro Industry and Food Security	<ul style="list-style-type: none"><li>• Project registered with the BOT Projects Unit</li></ul>
5.	Creation of a 'Village Des Artistes' at Batterie de L'Harmonie	Ministry of Arts and Cultural Heritage	Feasibility study prepared by project team, including the BOT Projects Team
6.	Finance, Design, Construct and Transfer of 6,000 Housing Units, excluding On/ Off-Site Infrastructure Works	New Social Living Development Ltd	<ul style="list-style-type: none"><li>• Feasibility study prepared by project team, including the BOT Projects Team</li><li>• Request for Qualification launched</li><li>• Government has now decided to implement the Project through a Special Purpose Vehicle and not as a BOT</li></ul>
7.	International Fish Auction Market	Ministry of Ocean Economy, Marine Resources, Fisheries and Shipping	Project registered with the BOT Projects Unit
8.	New Roche Bois Pumping Station and Baie du Tombeau Treatment Plant	Wastewater Management Authority	Agreement reached with the African Legal Support Facility to recruit a Transaction Advisory Firm for the project

## PART C - INNOVATION

SN	Project Title	Contracting Authority	Progress during financial year 2019/2020
9.	Rehabilitation of Extension of La Nicoliere Water Treatment Plant	Central Water Authority	Project registered with the BOT Projects Unit
10.	Setting up and Operating a Used Tyres Processing Facility in Mauritius	Ministry of Environment, Solid Waste Management and Climate Change (Solid Waste Management Division)	Feasibility study updated at level of the Ministry of Environment and reviewed by the BOT Projects Unit

12.3 During the reported period, assistance was received from two Development Partners, namely the Development Bank of South Africa (DBSA) and the African Legal Support Facility (ALSF) which is hosted by the African Development Bank (AfDB).

### Development Bank of Southern Africa - DBSA

12.4 The DBSA is financing and recruiting Transaction Advisory Services for the “New Roche Bois Pumping Station and Baie du Tombeau Treatment Plant and Rehabilitation of Extension of La Nicoliere Water Treatment Plant” project. The procurement exercise was started during the financial year 2019/2020. The BOT Projects Unit formed part of the Bid Evaluation Committee set up by the DBSA.

### African Legal Support Facility - ALSF

12.5 The BOT Unit signed an Agreement with the ALSF during the reported period. The selected Consultant will prepare a PPP Toolkit containing model documents such as RFP and PPP Agreements. The appointed Consultant will also train relevant public officers on the use of the Toolkit.



# **PART D** INTERACTION

## PART D - INTERACTION

- Advice to Stakeholders
- Compliance Monitoring
- Exclusion, Suspension, Disqualification & Debarment
- Foreign Missions
- Transformation Implementation Committees

### 13.0 Advice to Stakeholders

- 13.1 The PPO provides advice to stakeholders by e-mail, letters or through meetings. 298 written advices were provided to public bodies during the reported period. Records also show that the PPO registered 3,433 calls on the e-Procurement Help-Desk for the Period of 01 July 2019 to 30 June 2020.

### 14.0 Compliance Monitoring

- 14.1 In the discharge of its functions, the PPO has the power to;
- (a) request for such information, records and other documents as it may require from the Board or any public body;
  - (b) examine such records or other documents; and
  - (c) carry out procurement audit.
- 14.2 The main sources from which data is gathered on public procurements falling under the purview of the Public Procurement Act are the Return on Procurement Activities submitted by the public bodies; either on six-month basis or on a yearly basis depending on the procurement spend, and data submitted by the Central Procurement Board.
- 14.3 The Office conducted a desk compliance monitoring for Tertiary Education Commission on Expression of Interest in October 2019. Furthermore, an onsite compliance monitoring was carried out by the PPO at the Mauritius Fire Rescue Service in June 2020.

### 15.0 Exclusion, Suspension, Disqualification & Debarment

- 15.1 As per section 35(1) of the Public Procurement Act 2006, a public body must ensure that no disqualified supplier, contractor or consultant is permitted to receive a procurement contract or otherwise participate in procurement proceedings. Moreover, as per section 35(1A) of the Act, a public body may exclude a bidder under certain conditions.
- 15.2 In financial year 2019/2020, there were no cases of disqualifications or debarment. However, six bidders were excluded at the level of public bodies.

# PART D - INTERACTION

## 16.0 Foreign Missions

### SADC Meeting - Gaborone



- 16.1 Mr. B. Dabeesing (Member, PPO) participated in a SADC Meeting to review draft Revised Procurement Policy from 18 to 19 July 2019 at the SADC Headquarters, Gaborone, Botswana.

### African Public Procurement Network - Dakar

- 16.2 Mr. D. Khoodeeram (Ag. Head BOT Projects Unit and Lead Analyst, PPO) participated in the African Network of experts in public procurement held in Dakar in November 2019. The African Public Procurement Network (APPN) offers unique opportunities for regional cooperation and integration through public procurement, including mutual learning and exchange of knowledge, experiences and networking. The constant regional cooperation is expected to support the efforts of Network member countries for making their public expenditure more effective and improve the quality and timeliness of public service delivery. The APPN is a source of proposals and lobbying to mobilise stakeholders, promote information exchange and share experiences.



### Methodology Workshop - Paris

- 16.3 A “Methodology workshop on Contracting with the Government Indicator” was held with the World Bank Team from 3rd to 5th December 2019 at Paris, France and was attended by Mr. B. Dabeesing (Member, PPO).

## **17.0 Transformation Implementation Committees (TIC)**

- 17.1 The Procurement Policy Office worked together with the Public Sector Business Transformation Bureau during the reported period to track the implementation of the e-Procurement System throughout Ministries and Departments. The Public Sector Business Transformation Bureau (PSBTB) which operates under the aegis of Ministry of Public Service, Administrative and Institutional Reforms, has been mandated to drive and coordinate Business Transformation Programmes throughout Government. This provides a high level view of usage of the e-Procurement System in Ministries and Departments.

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