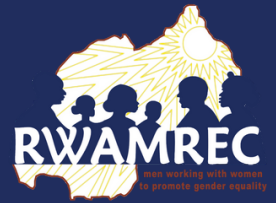


RWANDA MEN'S RESOURCE CENTER (RWAMREC)

Procurement Policy



RWANDA MEN'S RESOURCE CENTER (RWAMREC)

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A WORD FROM THE CHAIRMAN OF THE BOARD

Rwanda Men's Resource Centre (RWAMREC) is a non-government organization striving to achieve gender equality through the promotion of positive masculinities and male engagement approaches in preventing gender-based violence (GBV) in Rwanda. RWAMREC was founded in 2006 by nine members and was legally established in 2008 by the Ministerial Order no. 114/11 of 3/9/2008. The organization was formed as a response aimed at seeing men become part of the solution and efforts in ending men's violent behaviors. With this concept, the organization worked to change masculinity norms of men and boys to become positive and supportive partners in promoting gender equality in Rwanda.

The creation of RWAMREC was also triggered by the fact that gender promotion work was misunderstood as purely women's affairs, with men tending to exclude themselves, and some feeling that they were being disempowered by gender equality on detriment of women. This resulted in some men standing in the way of or blocking women's empowerment efforts in many ways in trying to protect their masculinities. RWAMREC's answer was to bring men together to understand that they too benefit from women's empowerment and are part of gender equality promotion work and benefits.

Since its founding, RWAMREC has transitioned from a small local organization to a nationally active non-governmental organization with programs in 24 districts spread over 4 provinces of Rwanda. Since its inception the primary focus of the organization continues to be promoting positive masculinity and the reduction of violence against women and children by men. RWAMREC operates in 24 districts of Rwanda to promote gender equality and to fight against sexual and gender-based violence. This procurement policy will help RWAMREC to effectively execute its procurement procedures in transparent ways.

Venant NZABONIMANA

Chairman



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Abbreviations

CLADHO: Collectif des Ligues et Associations de Defense des Droits de l'Homme

CNF: National Women's Council

EACSO: East Africa Civil Society Organizations Forum

EIGE: European Institute of Gender Equality

FFRP: RwandaForum for Women Parliamentarians

GBV: Gender Based Violence

GEF: Global Environment Facility

GMO: Gender Monitoring Office

HIV: Human Immunodeficiency Virus

ICRW: International Center for Research on Women

MIGEPROFE: Ministry of Gender and Family Promotion

M&E: Monitoring and Evaluation

NGP: National Gender Policy

NGOs: Non Governmental Organizations

PTCs: Parents and Teachers' Committees

RBC: Rwanda Biomedical Center

RWAMREC: Rwanda Men' Resource Center

UN: United Nations

UNDP: United Nations Development Program

VSL: Voluntary Savings and Loans

I. About Rwanda Men's Resource Center

Rwanda Men's Resource Centre (RWAMREC) is a non-government organization striving to achieve gender equality through the promotion of positive masculinities and male engagement approaches in preventing gender-based violence (GBV) in Rwanda. RWAMREC was founded in 2006 by nine members and was legally established in 2008 by the Ministerial Order no. 114/11 of 3/9/2008. The organization was formed as a response aimed at seeing men become part of the solution and efforts in ending men's violent behaviors. With this concept, the organization worked to change masculinity norms of men and boys to become positive and supportive partners in promoting gender equality in Rwanda.

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1.1 Vision

A peaceful society where women and men share roles/responsibilities in raising families and governing society through equality and respect.

1.2 Mission

To promote gender equality by transforming masculinities and femininities through awareness creation, advocacy, capacity development, movement building and service delivery.

1.3 Core Values

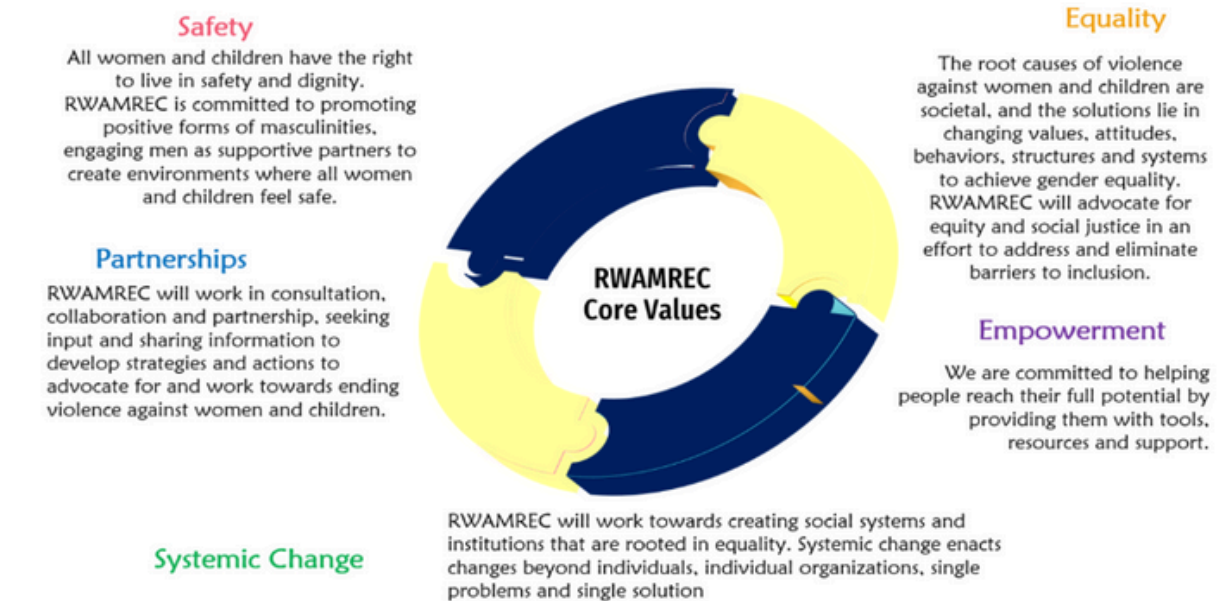


Figure 1: RWAMREC Core Values

II. Definitions of Terms

Goods

The goods consist of but are not limited to:

- Office equipment and furniture;
- IT equipment and supplies;
- Transport equipment;
- Various materials, supplies and consumables.

Services

Acquisitions of services consist of the following but are not limited to:

- Translation;
- Repair and Maintenance;
- Transport;
- Prints and other IT;
- Catering;
- Consultancy, etc.

III. General Procurement Procedure

3.1 Goal of the Procurement Policy

This procurement policy aims at outlining procurement procedures, practices and principles of the Rwanda Men's Resource Centre in acquiring/purchasing goods and services necessary for the smooth functioning of the organization.

The purpose of this policy document is therefore to provide the organization's management and staff with the necessary guidelines for analysis and treatment of data on procurement activities. RWAMREC's procurement Policy is aligned with the Law No. 12/2007 of 29/03/2007 on Procurement, and the ministerial order n000108/10/min of 16/01/2008 establishing regulations on public procurement and standard bidding documents.

3.2 About the policy

All Rwandan NGOs must operate within the laws of the Government of Rwanda. In addition, the aim of an internal practice and control system for procurement is to ensure that procurement processes and purchase orders are handled by individuals that have the necessary skills to evaluate the best prices, ensure purchases do not exceed the budget provided, ensure the purchased goods and services conform with the quality and quantity and price specified in the orders.

This has to be done in a transparent, effective and efficient way in order to contribute to the development and growth of the organization. This manual is published under the authority of RWAMREC's Board of Directors.

Procurement concerns the purchase of goods and services necessary to meet the needs of the organization in order to facilitate implementation of management and development activities. RWAMREC's Executive Director shall appoint an Internal Tender Committee to manage and implement the organization's procurement plans. The purchase of services and goods must be done in transparent and competitive ways.

3.3 Procurement Planning

The procurement plan of RWAMREC will be prepared taking into account activities of the Annual action plan by different departments and consolidated by the Procurement Officer.

This sets out the overall procurement timetable, indicating the different procurement activities that need to be carried out and when they should take place. These activities should cover the following:

- Defining the requirements and ascertaining the context of the tasks to be performed;
- Determining specifications and details of the activity components and ascribing costs to them;
- Selecting the most appropriate procurement method to use to ensure competition, economy, and efficiency;
- Determining whether Pre-qualification will be relevant so as to decide on the preparation and issuance of pre-qualification documents and its timing;
- Determining when the bidding documents would be ready for issuance to bidders;
- Determining whether, where and when public bid opening and evaluation will take place, etc;
- Setting out the bid evaluation criteria and selecting the process to be used;

- Establishing the procurement performance indicators and milestones to be used in monitoring and assessing progress;
- Identifying the team to use in managing the process from start to finish;
- Estimating costs for the procurement processes and their financial plan;
- Monitoring and evaluating plan for tracking progress and developing lessons to be used in subsequent phases.

3.4 Requisitions

The process of controlling requisition of goods and services is as follows:

Requisitions for different goods and services are presented based on the procurement plan by the relevant officer in Charge, to the Procurement Officer for verification purposes, and to the Executive Director for approval before starting the procurement process.

Centralized control of the procurement plan implementation is held by the Procurement Officer in conjunction with the Financial Officer who verifies and lists the common goods and services in order to buy in bulk.

A call for tender is then launched to invite bidders by the Executive Director under the request of the Procurement Officer or relevant officer in charge of the activity.

Determination of the tender winner consists of analyzing the bid by the Internal Tender Committee based on the principle of best quality, price, and specific conditions and criteria. Other evaluation criteria may be developed in the discretion of the Tender Committee in line with these principles. After identifying the winner, and before issuing a notification letter to the winner, the Tender committee together with the technical staff of the user department will negotiate the best price of the various tenders.

IV. Internal Tender Committee



4.1 Composition

RWAMREC is required to put in place a tender Committee comprising of at least three members depending on the number of staff of the organization.

The appointments shall be for three years renewable only once. More than half (1/2) of the members shall not be allowed to be on the committee for two consecutive terms of office. However, in case the number of staff of the organization does not change, the tender committee appointment can be renewed more than one time. Such committee shall be appointed by the Executive Director of RWAMREC. The Executive Director may change one member or the entire committee if there are relevant reasons to do so. The Tender Committee should have a Chairperson, Vice Chairperson and a Secretary. A procurement officer is a permanent member of the tender committee and acts as its secretary.

The committee shall include the following people:

- Staff members involved in administrative management;
- Staff members involved in capacity building;
- Senior staff at coordination level;
- Other staff members designated by the Executive Director from other RWAMREC staff that is not; ED, finance officer, auditors, legal officers, logistics, check signatories or any other person in a position that has potential conflict of interest situation.

4.2 Responsibilities and Benefits

The tender committee shall be in charge of the opening and evaluation of bids as well as making the award recommendation for procurement contracts.

The tender committee may seek the assistance from consultants. However, the consultant shall not have any interest directly or indirectly in the tender concerned or have any relationship with bidders if his/her services were sought after the bids had been opened.

The resolutions of the tender committee shall be valid when at least 3/5 (60%) members of the committee are present for the purpose. The consultant invited shall not participate in taking decisions.

The tender committee shall make a brief report on the bid evaluation comprising the evaluation process and comparison of bids and it shall be signed by all the evaluation committee members present.

The chairperson of the tender committee stipulated in this order shall be the coordinator of the whole process of the evaluation of bids and shall be required to act in an impartial and transparent manner.

Members of the tender committee taking decisions in relation to the evaluation of bids shall be generally responsible for the consequences that may arise from the decisions taken by the committee.

The Secretary (Procurement Officer) to the tender committee shall be assigned the following duties:

- Procurement planning preparation.
- Preparation of the bidding documents.
- Ensure publication and distribution of invitations to potential bidders. Participate in the opening and evaluation of bids.
- Preparing the report of the tender committee;
- Filing the reports of the tender committee and any other documents related to the procurement.
- Preparation of notification of tender awards.
- Ensuring contract preparation and execution in collaboration with the User Department.

The evaluation of bids shall be done within a period not exceeding twenty one (21) calendar days from the date of the opening of bids except when there are clear reasons indicated by RWAMREC and the bidders must be notified.

The internal tender committee shall be given a sitting allowance of RWF 25,000 per month, and will be given any other facilitation as may be required and depending on availability of means.

V. Procurement Methods

5.1 Request for Quotation (RFQ)

The quotation method is a simplified procurement method which compares price quotations obtained from a number of providers. The quotation method shall be used to obtain competition and value for money to the extent possible, where the value or circumstances do not justify or permit open or restricted bidding procedures. Written quotations must include

- The supplier's logo and basic information, such as the legal name,
- Tax or corporate identification number,
- Telephone number, email address,
- Physical address, name of contact person,
- Signature of the person submitting the bid,
- Date and validity period of the bid,
- Quantity of goods being offered
- Delivery terms like timeframes for the services being offered,
- Detailed description of the good or service,
- The price of the good or service (unit price, total price, price with and without taxes, currency that applies),
- Timeframe for providing the service or delivering the goods, etc.

Depending on the type of good or service, other relevant information may need to be included, such as information regarding warranty, payment method, delivery location, and complementary services (advising, installation, support, etc.). Request for quotations or proposal procurement may be used where:

- There is insufficient time for an open or restricted bidding procedure such as in an emergency situation; or

- Where the estimated value of the procurement does not exceed the threshold stated in this

5.2 Single Sourcing/Direct Procurement

Direct procurement is a sole source procurement method for procurement requirements where exceptional circumstances prevent the use of competition. The procurement method shall be used to achieve efficient and timely procurement, where the circumstances do not permit a competitive method. A single source acquisition may occur under the following conditions:

- When only one vendor from which particular goods or services can be purchased;
- RWAMREC management judgment might apply with good justifications.

5.3 Emergency Procurements

RWAMREC shall use the single source procurement method for unforeseen requirements whose estimated value is below the prescribed threshold. Where the RWAMREC engages in emergency procurement-

- The original invoice or receipt evidencing the supplies procured and the price paid shall be obtained and signed by the Procurement Coordinator;
- Procurement Coordinator shall be responsible for ensuring that value for money is obtained to the extent practical under the procurement procedure; and
- A comparison of at least three quotations shall be made.

The RWAMREC shall not use emergency procurement

- To split procurements in order to avoid using the appropriate procurement method; or
- For the procurement of services or supplies where they are required continuously or repeatedly over a set period of time or for which a framework contract is required.

An emergency may exist by reason of extraordinary conditions or contingencies that could not reasonably be anticipated, or because of unusual trade or market

conditions. The determination of whether such an emergency exists shall be made by the Head of Department, Program Manager or Project Coordinator or in the absence of, as appropriate, or his / her designee. The existence of an emergency may preclude the use of an existing contract if the contract vendor cannot meet the emergency delivery requirements.

Each requisition for an emergency purchase shall be approved by the Executive Director and identified therein as an "emergency purchase". A written statement documenting the nature of the emergency justifying the purchase and identifying the official authorizing the purchase shall be attached to the file copy of the purchase order at the time the order is placed.

5.4 Restricted Bidding

Restricted bidding is the procurement method where bids are obtained by direct invitation without open advertisement. Restricted bidding is used to obtain competition and value for money to the extent possible, where the value or circumstances do not justify or permit the open bidding procedure. The restricted bidding is open only to bidders appearing on the invitation to bid.

Restricted bidding shall meet the following conditions:

- The goods or services are available only from a limited number of providers/shortlisted providers; or
- There is insufficient time for an open bidding procedure in an emergency situation; or
- The estimated value of the procurement does not exceed the threshold.

Procedures for Restricted Bidding

- At the invitation to bid shall be addressed to a limited number of potential bidders without advertising the opportunity.
- The selection and evaluation of bidders shall be in accordance with the policy, and
- The bid opening shall be held in accordance with the policy.

5.5 Open Competitive Bids or Quotations

Open competitive bidding shall be used to obtain maximum possible competition and value for money. Nothing shall prevent a foreign or international bidder from participating in open domestic bidding.

5.6 Procurement Thresholds

Threshold Ranges (RWF)	Procurement Type	Requirement
1 to 1,000,000	Direct Procurement	Single source supported by receipts and invoices
1,000,001 to 5,000,000	Request for Quotation	Minimum 2 quotations,
5,000,001 to 10,000,000	Request for Quotation	Minimum 3 quotations,
10,000,001 and above	Public Tender	15 days of public advertisement, full proposal be submitted

5.7 Approval Limits

For better Finances Coordination, the purchases shall be approved by the Executive Director or his designee.

VI. Procurement Procedures



6.1 Procurement Procedure When Using Public Funds

When using public funds, RWAMREC must adhere to ministerial order n000108/10 min of 16/0112008 establishing regulations on public procurement and standard bidding documents in Rwanda.

Open, Competitive Bidding

6.1.1

Except in specific cases detailed below, RWAMREC shall apply open competitive bidding to any acquisition of supplies, works, goods and other services.

6.1.2

The Procurement Officer shall first prepare an invitation to tender that sets out but not limited to the following:

- The name and address of RWAMREC.
- The tender number assigned to the procurement proceedings by the procuring entity.
- A brief description, specifications or terms of reference of the goods, works or services needed including the expected time for delivery or completion.
- An explanation of where and when tenders must be submitted and where and when tenders will be opened.

6.1.3

The Procurement Officer shall prepare bidding documents that shall contain enough information to allow free and fair competition among those who may wish to submit tenders. The bidding documents shall set out but not limited to the following:

- The specific requirements relating to the goods, works or services being procured and the time limit for delivery or completion.
- The general and specific conditions governing the contract.
- Instructions for the preparation and submission of tenders.
- The procedures and criteria for bid evaluation and comparison.
- A statement that the procuring entity may cancel the bids at any time before the signing of the contract.

6.1.4

The Procurement Officer shall send invitations for tender to the attention of those wishing to submit tenders. The time allocated to the preparation of large tenders for open competitive bidding must not be less than fifteen (15) calendar days. Large tenders refer to tenders of more than ten million and one Rwandan Francs (RWF 10,000,001). The splitting of tenders is hereby prohibited.

6.1.5

Bids are submitted electronically or in sealed envelopes and are opened and analyzed by the Internal Tender Committee, which will compile a detailed report. The following criteria must be considered when analyzing each of the bidding documents (the list is not exhaustive):

- Best prices, including discounts;
- Best quality;
- Terms and conditions of delivery;
- After sales services (warranty, maintenance level, and transport of goods);
- Recognition and experience in a specific area/domain of interest;
- The reputation of bidders for upholding principles of gender equality, environmental protection and social inclusion (where applicable).

Bid Evaluation

6.1.6

After bids have been analyzed, the Procurement Committee makes a bid analysis, indicating the choice made by the ITC; the Administrator or relevant officer prepares the purchase order or contract. The Procurement Committee then prepares an evaluation report containing a summary of the evaluation and comparison of bids. All evaluation committee members present must sign these procurement documents.

6.1.7

Once a decision has been made, RWAMREC shall simultaneously notify the successful and unsuccessful bidders of the provisional outcome of the bid evaluation. The tender reports, the notification letters, purchase orders and contracts must be approved by the Executive Director.

Restricted Tendering

6.1.8

RWAMREC may use restrictive tendering for procurement, if either:

- The goods, service or works by reason of their highly specialized or complex nature or otherwise are available only from a limited number of suppliers or contractors.
- Time constraint in case of unforeseen or urgent tender activity. In this case, a prior authorization of the Executive Director is required based on viable reasons.
- The time and cost required to examine and evaluate a large number of bids would be disproportionate to the value of the goods or services to be procured. Any procurement within the restricted tendering category. Details on how restricted tendering will be done are provided in the section below.

A. Acquisition of goods and services for a value comprised between Rwf 1 and 1,000,000 is done without tender based on the needs expressed by the concerned staff, verified by the Finance unit before being approved by the Executive Director. However, for the purchases between RWF 1 and 100,000: the Payment is prepared by the person in charge of Petty cash based on needs expressed by the staff concerned, also verified by finance unit.

B. Acquisition of goods and services for a value comprised between Rwf100,000, 001. and 5,000,000: at least 2 Pro-forma invoices are required based on technical specifications provided to the bidders in advance. The bidders have to acknowledge receipt of the technical specifications. They are physically collected by the Secretary or the driver, analyzed by the Internal Tender Committee and produce a brief decision note on the winner to the attention of the Executive Director for subsequent decision to purchase the good or services. The Chair of the internal Tender Committee has to verify the conformity and the validity of the operation before the approval by the Executive Director.

C. Acquisition of goods and services for a value of Rwf5,000,001 and 10,000,000: A decision to invite bidders has to be taken by the Internal Tender committee

based on the procurement plan in place. Letters of invitation with detailed technical specifications have to be issued to key targeted clients with a written justification that shows the comparative advantage regarding the choice of bidders. The letters have to be accompanied by appropriate terms of reference or clear technical specifications of the required goods or services. The invitation letters have to be sent to more than 3 potential bidders 3 (three) days before, to allow the bidders enough time to prepare their offers. The opening of the bidders shall be open in presence of all members of the Tender Committee and the bidders (where applicable). Only three (3) Pro-forma invoices shall be shortlisted based on the best quality, the required quantities, the lowest price and other delivery conditions as may be specified in the tender invitation letters. The Internal Tender Committee shall analyze the three offers based on pre-determined criteria as per the procurement policy. In case of need, investigation of the quality and availability of the goods and or services may be carried out to ascertain the conformity between the specification, the bidder offers and the reality on the ground so that the Internal Tender Committee can take informed decisions. The Internal Tender committee therefore produces a detailed tender report as specified in this procurement policy document. This tender report has to be approved by the Executive Director, before payment is processed.

D. Acquisition of goods and services for a value of RWF 10,000,001 and above: An open competition shall be done through advertisement in newspapers and or radio, websites and elsewhere as per our procurement policy for a period on no less than fifteen (15) days. Analysis report and payments have to be done in accordance with the RWAMREC procurement policy. Purchase orders are prepared by the secretary of the Internal Tender Committee (purchase in bulk) or relevant officer in charge of the activity, the purchase order document is then verified by the Financial Officer and lastly approved by the Executive Director before it is sent to the client/supplier.

6.1.9

In the case of restricted tendering, RWAMREC shall, instead of advertising the invitation to tender, give invitations to at least three bidders selected in a fair and non-discriminatory manner from a list of pre qualified bidders.

6.1.10

RWAMREC shall obtain quotations from as many bidders as possible but not less than three. Short to long-term procurement contract shall always be awarded to the bidder that gave best quality of goods and services and the lowest-priced quotation meeting the delivery period and other after-sale services as needed.

6.1.11

For restricted tendering, the time given for the preparation of tenders shall not be less than three (3) calendar days for submission of price quotations, or necessary bid documents, except in case of as described above where the tender can be open for local and international bidders.

6.1.12

For such restricted tenders, it is a requirement to sign short to long-term contracts in order to avoid repetitive tenders for same goods and services for such small value in money as in point

Service Contract and Delivery

6.1.13

The successful bidder and RWAMREC shall enter into a written procurement contract based on the bidding document and the successful bid.

6.1.14

Items ordered are delivered to Rwanda Men's Recourse Centre's head office or any other place indicated by the management of R W AMREC, and under the supervision of the Administrative Officer the secretary must record the delivery and receipt of the goods on the "Stock Card".

6.1.15

The distribution of these goods is based solely on existing requisition and utilization procedures and must be checked and signed for on the 'Stock Card' before exiting for utilization.

6.1.16

RWAMREC shall establish a mechanism for monitoring the work/service according to the contract. The final acceptance of work/service must be verified and signed by the person in charge of the activity who requested the service and then approved by the RWAMREC Executive Director.

6.1.17

The staff in charge of logistics in conjunction with the Secretary has the duty of verifying the quality and quantity of goods delivered. A reception report of the goods received has to be produced and goods of poor quality have to be sent back to the supplier accompanied with the report showing the status of the goods for replacement or refund. The contract management is therefore handled accordingly.

Approval and Payment of Invoices

6.1.18

The payment of invoices from the purchase of goods and services must be honored within 5 working days from delivery. The invoice is recorded and then sent to the Executive Director for approval and determination.

6.1.19

After reviewing the invoice, it is directed to the Finance Department for payment, or other transactions as appropriate.

6.1.20

When approved, the Finance Officer prepares a cheque for the payment to be signed by authorized persons.

6.1.21

Finally the supplier receives the payment check or order directly from the Finance officer or substitute, against a signature on the purchase receipt or a copy of the payment cheque/payment order.

6.1.22

Any invoice submitted to the Administration and Finance officer must be accompanied by the following:

- A list of the supply goods requested
- The launched call for tender
- The bids received
- The report analyzing the offers and outlining the awarded contract
- The order itself
- The packing list and completion report of the requested goods/service

6.2 Procurement of Consultants' Services

6.2.1

When recruiting consultants, RWAMREC shall always advertise online in case there is no budget available, or in a national or international newspaper and radios depending on availability of funds. Other forms of media may be used where appropriate.

6.2.2

A shortlist shall then be compiled comprising bidders with capacity to perform the required services.5.2.3 In its discretion, RWAMREC management can also issue a request for proposals to a short-listed number of consultants, asking them to sell their products based on clear Terms of Reference.

6.2.3

The Tender Committee shall evaluate each technical and financial proposal on the basis of criteria disclosed in the request for proposals. A best quality and low cost-based selection procedure shall be used except in cases where quality is the paramount factor or where selection is based on consultant's specific qualifications.

6.2.4

Negotiations with the selected consultant shall cover the terms of reference, progress reports, facilities to be provided by the procuring entity and the

successful bidders' financial proposal.

6.2.5

The bidder whose proposal attains the highest score in aggregate, in accordance with the evaluation criteria in the request for proposals shall be selected for the award, subject to satisfactory conclusion of negotiations. The reputation of the organization in completing such assignments has to be considered as a prerequisite as well for awarding the tender.

6.2.6

Knowing that RWAMREC is championing a unique approach of engaging men that is not known to many people in the country, simplified procedures to select trainers and experts in Men Engage approaches shall be done without competition. Comparison of profiles from potential candidates shall be done to determine one who has comparative advantages. The Board Chairperson shall determine on hiring a MenEngage expert based on the proposal made to him/her by the Executive Director.

6.2.7 Selection and thresholds of consultancy services

Selection Method	When To Be Used	Conditions To Be Fulfilled	Threshold
QCBS (Quality and Cost Based Selection)	- when both the quality and cost need to be considered.	- preparation of ToR - Technical & financial proposals	No limit
LCS (Least Cost Selection)	- assignments of a standard or routine nature where well-established practices exist (e.g. audits)	- All proposals above the minimum qualifying mark (70%) compete only on cost	<5,000,000

CQS (Consultant Qualification Selection)	- for small assignments for which the need for preparing and evaluating competitive proposals is not justified.	<ul style="list-style-type: none"> -prepare ToR, - request EoI, -select firm/consultant with the most appropriate qualifications and experience. - selected firm shall be asked to submit a combined technical and financial proposal 	<10,000,000
SSS (Single Source Selection)	<ul style="list-style-type: none"> - only used in exceptional circumstances e.g. in emergency cases, - when assignment is a continuation of previous work carried out by the firm/consultant - only one firm is qualified or has experience of exceptional work for the assignment 	<ul style="list-style-type: none"> - The organization shall ask the consultant to prepare technical and financial proposal on the basis of ToRs furnished, which shall then be negotiated. 	<10,000,000

6.3 Procurement Process When Using Private Funds

6.3.1

For private funds, the procurement procedures can be completed according to the requirements of the donor. Such conditions or requirements have to be made known to the RWAMREC Management ahead of time for consideration.

6.3.2

In case the donor does not impose restrictions/requirements on RWAMREC's acquisition of goods/services; therefore mentioned procedures for procurement

shall be adhered to. Such donor's restrictions/requirements have to be agreed upon by the highest leadership of RWAMREC prior to applying them as stated in point 6.

VII. Contracts Management

7.1 Contract Signing and Management

Contract management is another most important part of the procurement processes at RWAMREC. However, it must be noted from the outset that the beneficiary department plays a crucial role in contract management. As the department with vested interest in the success of the contract they have to play a very big part in receiving the supplies and quality assessment and acceptance. Effective management of contracts is essential to ensure that the objectives of the procurement process are achieved and that all contractual obligations and activities are completed efficiently by both parties to the contract.

The Procurement Coordinator must ensure that routine monitoring of all current contracts is maintained so that swift remedial measures can be taken when problems arise, or preventative action taken when problems are foreseen. However, the Procurement Coordinator might be having many tasks to accomplish; the beneficiary department will have to undertake much of their respective contract management duties and responsibilities whilst the Procurement Coordinator provides guidance. If during contract implementation there are any serious disputes with the supplier, contractor, consultant or service provider regarding the interpretation of the provisions of the contract the Procurement Coordinator can refer the issue(s) to RWAMREC legal Counsel or consultant.

There are many post-contract issues that need to be dealt with, monitored and resolved before the contract reaches its conclusion including:

- Delivery and Inspections of Goods;
- Payments to the Consultant, Supplier or Contractor;
- Performance Monitoring for Services and Works;
- Contractual Disputes;
- Delays in Performance;
- Claims for Damages;
- Initial and Final Takeover of construction works;
- Installation and Commissioning of Equipment;
- Acceptance of Deliverables

7.2 Key Roles in Contract Management

Contract supervision and administration for goods will be the primary responsibility of the Procurement Coordinator. Supervision and administration is straightforward in most procurement of goods but monitoring delivery schedules, processing of documents and the inspection of goods are essential to ensure that the correct goods are delivered on time. The Procurement Coordinator will:

- Monitor the delivery schedules of all purchases to ensure that they are dispatched, delivered or collected on time;
- Contact the Supplier or shipper to identify the causes of any delay in delivery;
- Initiate and supervise any process for claims against insurance or the supplier;
- Report to the Procurement Committee any failure by the Supplier in his contractual obligations.

7.3 Contract Supervision

Day to day supervision of a works contract is carried out by the User Department Manager who acts for RWAMREC to supervise and administer the contract. If there is a need the Executive Director may appoint another staff who has the required expertise for the supervision or may decide to hire a consultant. The User Department Manager together with the Procurement officer usually act at the first level in settlement of disputes and he should ensure that RWAMREC is informed of any disputes and their resolution. Any serious disputes which may require an

amendment or addendum to the original contract must be reported immediately to the Executive Director. For large projects like a complex construction projects when RWAMREC does not currently have an expert in the field, a Project Consultant shall be hired to supervise the works.

7.4 Contract Execution/Delivery

Before accepting the consignment:

- Carefully examine the packages to check they are all present according to the Delivery Documents and to look for signs of any physical damage;
- Look also for signs of tampering with any of the packages e.g. cases with broken seals, lose or open tops;
- Have the packages re-weighed if there is any suspicion that items have been removed, and compare the result with the shipping documents;
- Note any deficiency either in quantity or in condition on the receipt given in exchange for the goods;
- Any rejected goods should be removed by the Supplier in accordance with the contract.

7.5 Payments

At this step, three documents purchase orders, packaging slips (that arrive with the order), and vendor invoices are lined up and reconciled to pinpoint discrepancies and ensure that the transaction is accurate. Discrepancies should be addressed once they are discovered. Once three-way matching is complete, the invoice is approved and forwarded to payment processing depending on organizational norms.

7.6 Payment Considerations

Before a contractor may receive payment for goods provided or services rendered, the vendor's invoice and/or a copy of the agreement (whether a purchase order, personal service agreement, direct pay voucher, or services and

honorarium request form), along with a voucher/disbursement or payment request form (depending upon agency procedure), must be submitted to the Finance Department. The voucher / disbursement request form and contractor invoice must be signed by an authorized signatory as attestation that the goods have been provided and/or the services rendered, and by authorized.

RWAMREC makes payments two days in the week, on Tuesday for the request received on Friday and Monday, and Thursday for the requests received on Wednesday. For more information, please refer to the finance Policy.

7.7 Re-evaluation of Suppliers/Supplier Appraisal

- Annually, the Procurement Coordinator shall ensure that pre-qualified suppliers are re-evaluated by the Procurement Committee to determine their continuing suitability.
- The Criteria for re-evaluation shall be: -
- Quality of supplies made,
- Prevailing costs,
- Reliability of the suppliers,
- Financial capability of the suppliers.
- After the re-evaluation, the Procurement Coordinator shall update the list of pre-qualified suppliers.

VIII. Assets Disposal



Disposal is a critical element of the stores, equipment and other assets management of RWAMREC. When any equipment is obsolete, its keeping, through maintenance costs, storage, parking, insurance, etc., may well exceed the returns that can be derived from that piece of equipment and the investment of additional monies.

When stores are perishable, keeping them run risks of misuse, using shelf space unduly and not signaling requirements for what may be life savings products. Disposal is thus one of the elements of managing procurement and supply and distribution. It focuses on safeguarding assets and on sending information for decision-making.

Disposing is thus a function that is necessary to guarantee that public monies are not applied to useless or obsolete equipment and assets and that when stores are disposed of, they are sold at the best achievable value in the market. Disposal may be considered as the third life of any items acquired by RWAMREC;

- First, it is procured and accepted (the procurement cycle);
- Second it is utilized by the RWAMREC in the discharge of its duties (the usage life cycle, often referred to as life cycle);
- Third and finally, it has then to be disposed off (the disposal cycle).

Because disposal involves residual values that may be received and can contribute to the cost of renewal, it involves deciding when to dispose of a certain item and may involve health and safety standards issues. It has to be regulated and managed as provided for by this procurement policy.

RWAMREC shall establish a disposal committee comprising of at least 5 members as follows:

- An officer in charge of Finance;
- The officer in charge of procurement who shall be secretary;
- Three heads of Departments or Programs to be appointed by the Board of Directors.

The committee shall select a chairman from among its members. The disposal committee shall first meet within fourteen days of its appointment and subsequently at least once in every quarter.

The accounting officer shall give the disposal committee a written notice as to

whether he rejects or accepts the recommendations of the disposal committee within fourteen days of receipts of the recommendations.

The Executive Director in consultation with the procurement or authorized officer shall prepare a list of assets owned by the RWAMREC to be disposed of indicating their state of condition and value. The list shall be approved by the Board of Directors.

Prior to the sale of RWAMREC assets, there shall be a public notice issued in a newspaper of wide circulation. The public notice of sale shall run for at least fifteen (15) days from the date of its publication. RWAMREC assets shall be sold by public auction.

Any assets disposed of by public entities shall immediately be removed from the books of accounts in accordance with RWAMREC Financial Procedure Manual.

Payment of RWAMREC disposed assets shall be effective in two days after the public auction after which the sale will be cancelled.

Transfer of RWAMREC disposed to the new acquirer shall commence after the payment of the agreed price and its payment by the acquirer.

IX. Ethical Conduct of RWAMREC Staff



All staff with purchasing authority must be aware of the standards of ethical behavior that apply to their purchasing activities.

9.1 Recommended Ethical Behavior

- Transparency: To give clear and same information to all bidders,
- Competition: Give chance more bidders to compete,

- Economy: Don't invest much in procurement process than what you are procuring,
- Efficiency: Take consideration of quality, price and time,
- Fairness: Treat equally all bidders,
- Accountability: Take responsibility to promote the best interest of the organization,
- Corrupt attitudes and practices: any practice that show corrupt attitudes and or practices is prohibited and punished seriously at RWAMREC.

9.2 Conflicts of Interest

In carrying out their duties, RWAMREC staff involved in the procurement process should ensure that their private affairs will not favor real, apparent or potential conflicts of interest. Actual or potential conflict of interest occurs when the RWAMREC staff is in a position to influence a decision that may result in a personal gain or gain for a relative or friend.

A member of the Procurement Committee shall not participate in the tender process or carry out an auction in favor of an outside enterprise or organization in which he has direct or indirect interests. The RWAMREC staff shall avoid being in a conflict situation between his/her own interests and work interests. The RWAMREC staff is requested to disclose any conflict of interest, when they notice that his interests are conflicting with the organization's interests.

9.3 Personal Interest

Any personal interest which may impinge or might reasonably be deemed by others to impinge upon impartiality in any matter relevant to purchasing duties should be declared to the Executive Director for recording and approval before conducting the business.

9.4 Confidentiality

Information received in the course of duty should be kept confidential and details

of suppliers' offers must not be divulged to competitors. Information given in the course of duty should be true and fair and never designed to mislead and never be used for personal gain.

9.5 Relationships with Suppliers

While bearing in mind the advantages to the RWAMREC of maintaining a continuing relationship with a supplier, any arrangement which might in the long term prevent the effective operation of fair competition and competitive pricing must be avoided.

9.6 Inducements

Personal inducements in any form from suppliers to employees are forbidden. Any instances of such inducements being offered must be reported immediately to the Executive Director.

9.7 Unauthorized Purchases

Authorized purchases are commitments to purchase made by an employee acting under due authority. Any employee who makes an unauthorized purchase may be held personally responsible for payment of any costs incurred. Disciplinary action may also be taken which could incur a sanction up to and including termination of employment depending on the severity of the action.

9.8 Gifts and Hospitality

Gifts, other than items of very small intrinsic value such as business diaries, calendars, low value pens and CPC mat pads, shall not be accepted. Items for personal use shall be declined. Modest hospitality is an accepted courtesy of a business relationship. However, the recipients should not allow a position to be reached whereby they might be or might be deemed by others to have been influenced in making a business decision as a consequence of accepting such

hospitality. Acceptable hospitality includes, for example, a very occasional meal or a drink at a conference.

More substantial items such as attending a theatre or sports event should never be accepted without the prior authority of a line manager and must not be undertaken during working time. When there is any doubt over what is and is not acceptable in terms of gifts or hospitality, the offer should be declined or advice sought from the Executive Director.

9.9 Equality and Diversity

Procurement contracts have standard terms and conditions of purchase containing requirements relating to equality and diversity that suppliers. In all circumstances the supplier must agree to comply with the RWAMREC's policies and procedures to prevent unlawful discrimination on the grounds of sex, race, disability, sexual orientation, age, religion and belief, gender identity, pregnancy and maternity and marriage/civil partnership.

X. Appeal Process



A prospective bidder or actual bidder may, at any stage of the procurement proceedings and in accordance with this Policy, apply for a review of any conduct in the procurement proceedings with respect to RW AMREC procurement regulations.

An application for review shall not be acceptable unless it identifies a specific act of omission or commission contravening RWAMREC procurement regulations.

A request for review shall be made in writing to the Executive Director before the procurement contract is signed.

A request for review shall not be acceptable unless it was submitted within seven (7) days after the bidder became aware of the circumstances giving rise to the request.

The Executive Director will appoint a specific committee including the ITC and any other independent person to review the appeal and give recommendations to Executive Director.

Unless the matter is resolved to the satisfaction of the bidder who requested for review, the ED shall suspend the procurement proceedings and shall within seven (7) days after receipt of the request for review, issue a written decision explaining the reasons, and where it is grounded, indicating the corrective measures to be taken if the request is valid.

If the committee appointed by the Executive Director entity fails to issue a decision within seven (7) days from receipt of the complaint or if the bidder is not satisfied with the decision, the bidder shall lodge a complaint to the BoD. The BoD shall review the process and give the final decision.

Any violation of these procedures and working principles committed by any staff and leader within RWAMREC is a serious offense punishable by the RWAMREC's internal rules and regulations. Therefore, appropriate measures shall be taken accordingly.

Venant NZABONIMANA

Chairman

