



SAHARA
AND SAHEL
OBSERVATORY

PROCUREMENT POLICY

May, 2023

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ACRONYMS

AF	Adaptation Fund
AFD	Administrative and Financial Department
BOC	Bid Opening Committee
CAC	Contract Award Committee
GCF	Green Climate Fund
NO	Request for No-Objection
OSS	Sahara and Sahel Observatory
PC	Procurement Commission
PMU	Project Management Unit

DEFINITIONS^{1,2,3}

No-Objection Decision: A No-Objection notice issued by the OSS as part of its review of the beneficiary procurement process, as described in Article 3.8.2 of the OSS Procurement Rules.

Beneficiary: Any person directly benefiting from OSS funding under a funding agreement and acting as a project owner.

Good International Practices: Principles of open, fair, transparent and effective competition (aimed at finding the best quality-price ratio and meeting the deadlines) in the award of contracts, and the verification that the Applicants, Bidders or Consultants have the guarantees they need to carry out these contracts.

Consultant: Any entity or person that prepares and/or submits a proposal or quotation, in response to a request for proposal or request for quotation for intellectual services.

Financing Agreement: A contract between a Beneficiary and the OSS that governs the funding of a project for the benefit of the Beneficiary.

Corruption: As stipulated in the OSS Prohibited Practices Policy, the word "corruption" refers to offering, giving, receiving or soliciting, directly or indirectly, in any capacity, anything of value and/or any improper advantage of any kind for oneself or any other person or entity in order to act or refrain from acting in a manner that violates their official duties or legal, contractual or professional obligations and influences their own actions or those of any other person or entity.

Request for No-Objection (NO): Preliminary review that allows OSS to assess, evaluate, and decide whether or not to approve a procurement action associated with specific project activities in accordance with procurement rules.

Fraud: As stipulated in the OSS Prohibited Practices Policy, the word "fraud" refers to any deception intended to obtain an unfair advantage for oneself or for a third party by omission, misrepresentation, concealment of facts or in any other way likely to intentionally or unintentionally mislead or avoid an obligation or cause harm to another party.

¹<https://popp.undp.org/SitePages/POPPRoot.aspx>

² <https://www.greenclimate.fund/sites/default/files/document/policy-prohibited-practices.pdf>

³ ope-R2011 – Procurement Guidelines in Foreign States – V8

1. INTRODUCTION

The Sahara and Sahel Observatory ("OSS" or "Observatory") has been accredited by two of the most important Climate Funds (the Adaptation Fund - AF), in July 2013, and (the Green Climate Fund - GCF) in October 2017 and is responsible for ensuring the proper use of the funds of the projects it monitors as part of its activities. In particular, it must ensure that the funds of the projects it provides are properly allocated, and that the Beneficiaries of such funding apply the principles of economy and efficiency in accordance with International Best Practices when awarding contracts for works, equipment, supplies, intellectual services or other services.

2. RATIONALE

The OSS Procurement Policy ("Policy" or "PP") is critical to ensuring that all resources are used in an accountable, transparent and efficient manner. It aims to establish clear standards for supplier selection, bid evaluation, contract negotiation and management. This policy is intended to guide the actions of key OSS stakeholders to ensure good governance in the procurement of the Observatory, in line with international best practices.

3. OBJECTIVES

The objective of the PPM is to ensure that the procurement of goods and services is conducted in a responsible, transparent and efficient manner in accordance with the principles of good financial management. The Policy must be implemented by all key OSS Stakeholders through clear and consistent contracting procedures, from planning to contract management.

The PPM principles are based on transparency, competition, equal treatment, due diligence, and accountability. Procurement procedures shall be clearly defined and accessible to all staff of the Observatory, ensuring fair access to tenders and avoiding any conflict of interest.

The Policy must also make sure that the goods and services purchased meet the OSS quality and performance standards, while complying with legal and regulatory requirements. Suppliers should be selected based on their ability to deliver quality goods and services on time and within budget.

Finally, PP must ensure effective contract management by ensuring that suppliers meet their contractual obligations and by managing the risks arising from projects. Monitoring and evaluation mechanisms should be put in place to ensure that contracts are managed effectively and transparently.

In sum, the Policy must enable the Observatory to manage its financial resources effectively while ensuring transparency and accountability in procurement and contract management.

4. SCOPE

All OSS administrative and technical units are subject to the provisions of the Policy.

In the event of a grant from OSS as an accredited entity to a Beneficiary for the partial or full implementation of a Project, the Beneficiary, who is a signatory to the Financing Agreement, is responsible for compliance with this Policy. To this end, the procurement of goods and

services (including consultancy services) by the Recipient shall be carried out in accordance with national rules and procedures, provided that none of them are inconsistent with the OSS procurement policies and procedures.

The Observatory will ensure compliance with the Policy when validating the No-Objection (NO) request.

In case of inconsistency between the Beneficiary's procedures and those of the OSS, the procedures specified by the Observatory shall prevail and be applied.

The provisions of this Policy shall apply to the procurement, and performance of all OSS-supported contracts, specifying that the word "contract" means any contract that is concluded by the Beneficiary for pecuniary interest with one or more service providers to satisfy its needs, regardless of its amount.

5. PROCUREMENT PRINCIPLES

This policy is based on six major purchasing principles, namely:

1. **Transparency:** The OSS is committed to transparency at all stages of the procurement process, including publishing bids and contract results on its website and communicating selection criteria and evaluation procedures to bidders.
2. **Equity:** The OSS ensures that all bidders are fairly and impartially treated. All contract-related information is communicated to all bidders at the same time, and selection criteria are established objectively.
3. **Competition:** The OSS encourages competition among bidders by ensuring that tenders are published in local, national and international media. In addition, bidders will be selected based on their competence, experience and ability to meet the OSS requirements.
4. **Efficiency:** OSS is committed to managing markets effectively and efficiently. This requires proper planning of requirements, timely evaluation of bids, and effective contract management.
5. **Responsibility:** The OSS is responsible for the award and management of contracts and the effective use of its funds. The OSS conducts regular audits of its contracting activities to ensure accountability.
6. **Good management of funds:** The OSS is committed to ensuring good stewardship of funds by optimizing costs and avoiding any conflict of interest. The Observatory also ensures that payments to tenderers are made, in accordance with the terms of the contract

The OSS must be aware of any risk of fraud and corruption when procuring. The PP defines ways to prevent, detect where appropriate, and respond appropriately to these fraudulent practices. Particular attention should be paid to emergency situations where the need for quick results may increase the risk of fraud or corruption.

By adhering to these principles, the OSS will be able to strengthen the confidence of its members, its partners, and the beneficiaries of its projects and programs, and ensure that any contracts it enters into are awarded in accordance with applicable procurement rules and procedures.

6. STAKEHOLDERS

To ensure an appropriate and effective Procurement Policy, it is important to involve several Stakeholders in the process. The most important ones are:

- The Procurement Commission (PC): in charge of overseeing and coordinating all procurement-related activities and reviewing and approving all procurement requests. The members of this Commission shall be appointed by resolution of the Executive Secretary of the OSS.
- The Project Management Units (PMUs): which are responsible for planning, implementing and monitoring projects. They work closely with the Administrative and Financial Department (AFD) to identify procurement needs and develop technical specifications and terms of reference for tenders. PMUs are also responsible for day-to-day contract management, including monitoring progress of work, verifying compliance with technical specifications, and managing payments.
- The Contract Award Committee (CAC): which is responsible for evaluating the bids received to ensure that all selection criteria have been met. The composition of this Committee shall be confirmed by the OSS Executive Secretary.
- The Bid Opening Committee (BOC): responsible for opening the bids received and verifying their legality and administrative admissibility. The members of this Committee are appointed by decision of the OSS Executive Secretary.
- Suppliers: who are commercial entities or contractors bidding on Observatory procurement contracts.
- Internal auditors: who are responsible for ensuring compliance with procurement policies and procedures, as well as the legality and transparency of the procurement activities.
- Financial partners and donors: who provide funding for OSS projects, and may require detailed reporting on contract activities to ensure proper management of their funds.

By involving these key Stakeholders in the elaboration, implementation and monitoring of the procurement policy, the OSS will have ensured the responsible and transparent management of its financial resources.

7. GUIDELINES

The OSS PP sets clear standards and provides practical guidelines for the implementation of the procurement process. Adherence to these principles will ensure transparent, equitable, and efficient procurement processes, to effectively and efficiently meet the needs of the Observatory.

7.1. MARKET PLANNING

Before launching a call for tenders, it is important to conduct a thorough market analysis: define needs, estimate costs, define supplier selection criteria, identify risks, and establish a realistic timeframe.

7.2. PUBLICITY AND DISSEMINATION OF THE CALL FOR TENDERS

The OSS must ensure that the call for tenders is disseminated widely and transparently in order to guarantee healthy and fair competition. The communication channels to use may include newspapers, websites, social media, newsletters and mailing lists.

7.3. BID SUBMISSION

Bids must be clear, complete, and submitted in a timely manner. It is important to provide all the requested information, to avoid any confusion or possibility of a rejected bid.

7.4. BID EVALUATION

Bids must be evaluated against predefined selection criteria. Evaluation must be objective and impartial. Bids must be evaluated on quality, cost, supplier experience, delivery time and any other relevant criteria.

7.5. CONTRACT AWARD

The contract must be awarded to the supplier who best meets OSS needs and who presents the best offer in terms of quality, cost and delivery times. It is important to have a clear and complete contract that explicitly describes the obligations of each party.

7.6. CONTRACT MANAGEMENT

Contracts must be managed effectively to ensure that all obligations are met by the suppliers and the Observatory. Delivery times must be closely monitored and payments must be made in accordance with the contract terms.

7.7. MONITORING AND EVALUATION OF THE SUPPLIERS

The OSS must monitor and evaluate the performance of its suppliers in order to ensure that they comply with their contractual commitments. Supplier performance should be assessed regularly and corrective actions should be taken if necessary.

7.8. COMPLIANCE WITH THE REGULATIONS

The Observatory must comply with the applicable procurement laws and regulations. Tendering procedures must be transparent and fair, thereby ensuring healthy competition.

8. EFFECTIVE DATE AND REVISION

This Policy will enter into force as soon as it is adopted by the OSS Executive Board and will apply to all ongoing projects and programs of the Observatory as far as possible, and to those approved after the effective date of this Policy.

This Policy will remain in effect until amended or superseded.
It will be reviewed and updated, as necessary.