

Monitoring Report of Contracts from the Health and Education Sectors: Civil Society Organisation Contract Monitoring - 1st Quarter Report (April –June 2021)

1.0 Introduction:

GACC in collaboration with Techiman- Local Accountability Network (LANet) is implementing a project titled, From Disclosure to Impact: Deepening and Broadening Open Contracting in Africa". As part of the project member of the LANet undertook monitoring of public contracts in the health and education sectors.

There is increasing evidence from rigorous studies and in countries that open contracting contributes to better value for money, increased competition, fighting corruption and better services.

In this view, the focus of Contract Monitoring for the first quarter of 2020 was to assess progress made towards the open contracting and to make the necessary adjustments to improve performance. The activity seeks to improve delivery of health and education infrastructure services through promotion of disclosure, public participation, efficiency, value for money and competition in public contracting in the Techiman Municipality.

2.0 Methodology: The contract monitoring took an integrated approach of data collection, which combined community level interviews, courtesy calls and field visits to the community. Ten LANet members in the Techiman Municipality were selected to interact and interview stakeholders, Municipal Procurement officer and visit the beneficiary communities to verify the project and to take pictures as evidence of the contract monitoring. The data were collected from the Techiman district Assembly.

FINDINGS

3.2. Extent of Contract Information Disclosure:

3.2.1: Reactive Disclosure:Our findings show that data related to the purpose, scope, impact, costs and execution of infrastructure projects is open and accessible to the public upon request from citizens. Therefore, information disclosure is reactive rather than proactive. The best approach is the proactive disclosure of procurement data with the aim of improving access and citizen participation. Proactive public disclosure ensures that information is readily available to citizens where they can read and gain knowledge on the project implementation for effective monitoring and their respective communities.

3.2.2:Disclosure on the GHANEPS/PPA: A thorough search of the Public Procurement Website (PPA) does indicate that none of the nine (9) contracts by the procuring entities was published on the website. Section 31 (1) of the PPA Act, 2003 (Act 663) as Amended, "*A procurement entity shall promptly publish notice of procurement contract awards on the website of the Authority*". Subsection (2) further makes provision for any other manner of publication of the notice of procurement contract awards. This means it is appropriate for all PEs to publish contract awards on the PPA website.

3.3: Procurement and Management of the Contracts:

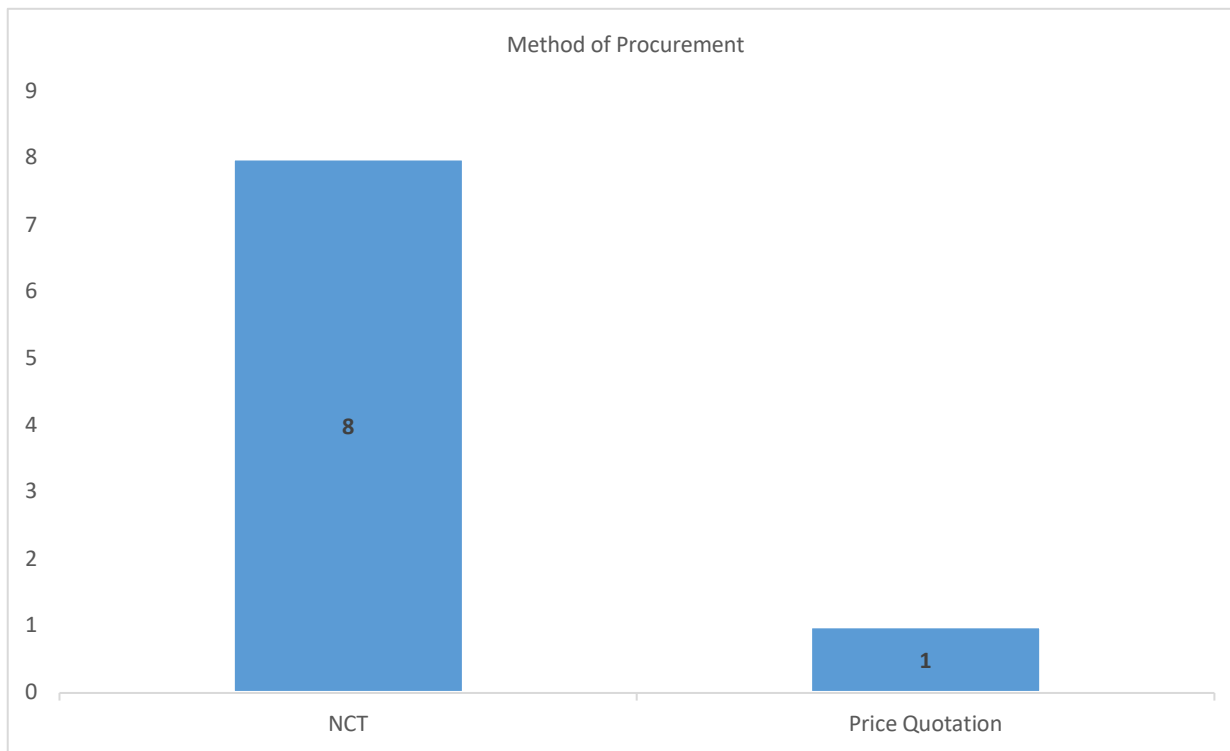
3.3.1: Procurement methods:The PPA in section 35 postulates that procurement entities use the competitive method of procurement or provide justification for the use of other procurement methods. According to our findings during monitoring of project contracts in the Techiman assembly, most (8) of the

projects used the National Competitive Tendering process in the procurement of goods, services or works whilst one of the project used price quotations. Price quotations, according to the Act are used for

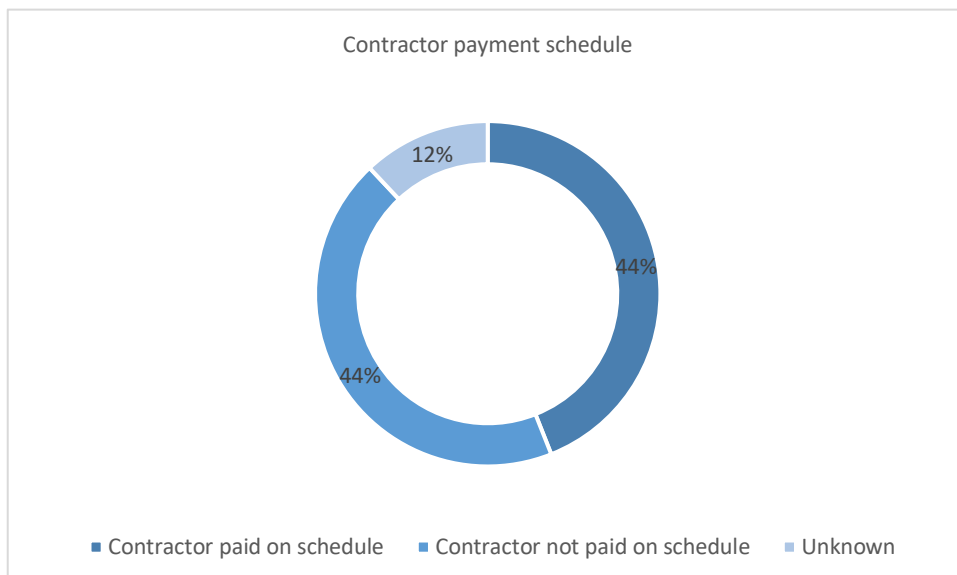
(a) Goods Up to GHC 200million

(b) Works Up to GHC 500million

(c) Technical Services Up to GHC 200million

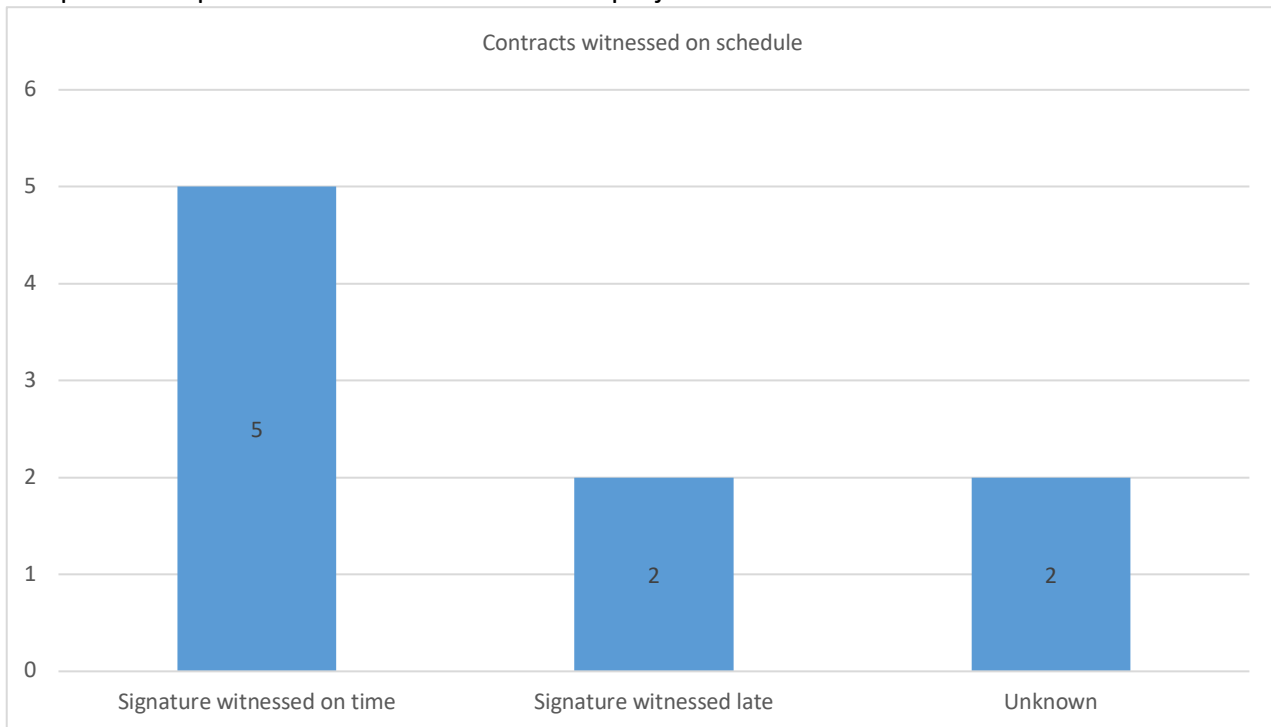


Paying Contractors on schedule: As indicated below, 44% of the contractors who were awarded projects were either paid or not paid on schedule whereas data 12% is unknown. The practice of not paying contractors on schedule could result into judgement debts per the contracts signed and pose as cost to the state. Some of these late payments are as a result of the delays in disbursement of the District Assembly Common Fund (DACF).



3.4. The extent to which contract execution is consistent with contract requirements:

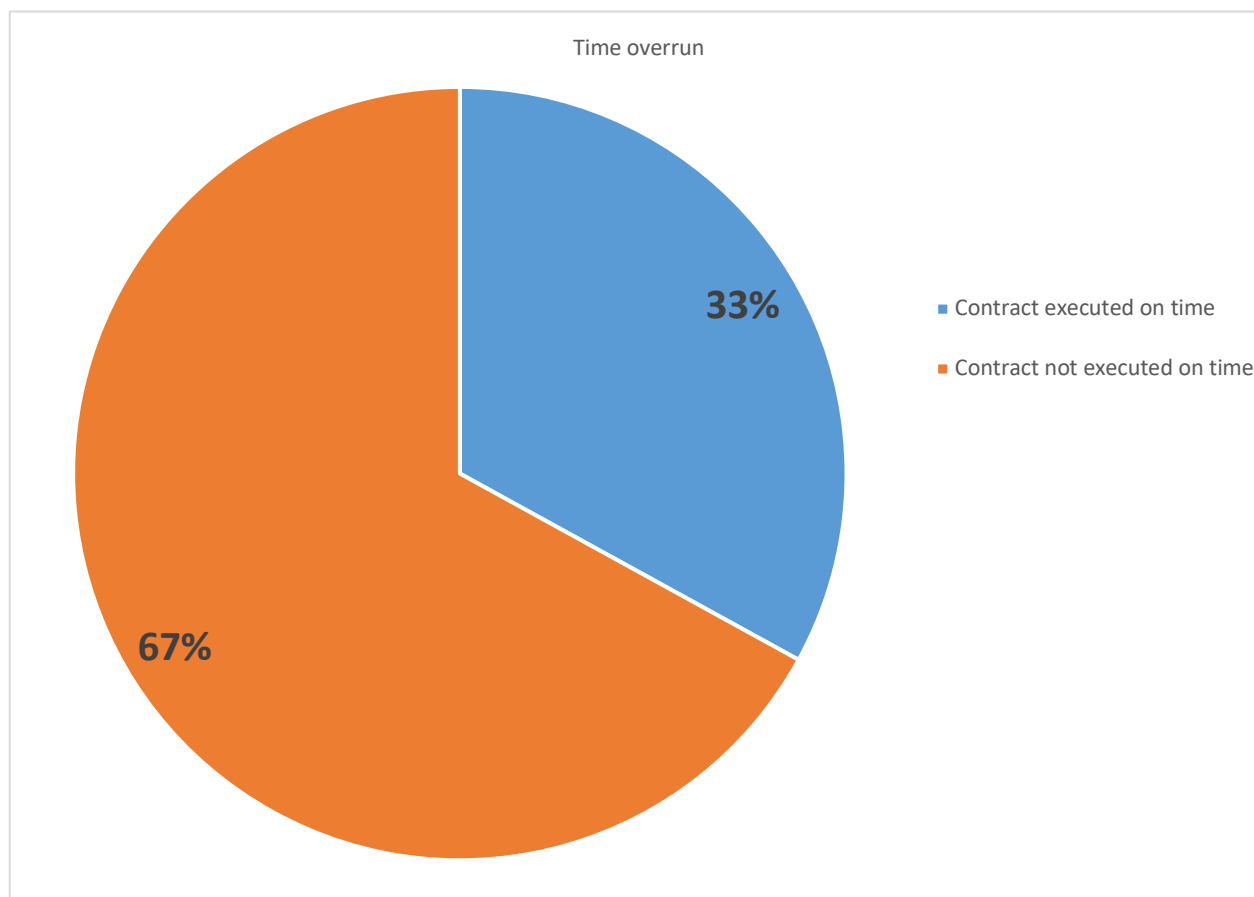
3.4.1: Signing and witnessing of contracts: As indicated in the graph below, most of the contracts were signed on schedule and witnessed the same day. However, two of the contracts had different dates when the contracts were signed and when it was witnessed. These projects include the construction of the Kesse Basahyia SHS and the Construction of 1 No, 2. Unit Day Care Block. These projects were awarded to GIFAS Group of Company Limited and Elim Twelve Seventy Ltd respectively. This could easily be a sign of collusion between the contractor and the PDE since the contract might have been signed to fulfill the compliance requirements. Data on two of the projects was unknown.



3.4.2 Time over run: Out of the 9 projects monitored 3 were completed within the designed time frame and have been handed over to the beneficiary within the contractual period. Time over runs are caused by change of work scope; delayed payments; poor monitoring and control; high cost of capital; political instability/insecurity. These have an effect on the overall cost of projects and influence the overall service delivery. In some or most cases, these overruns are caused by delays in the disbursement of the DACF from the central government.

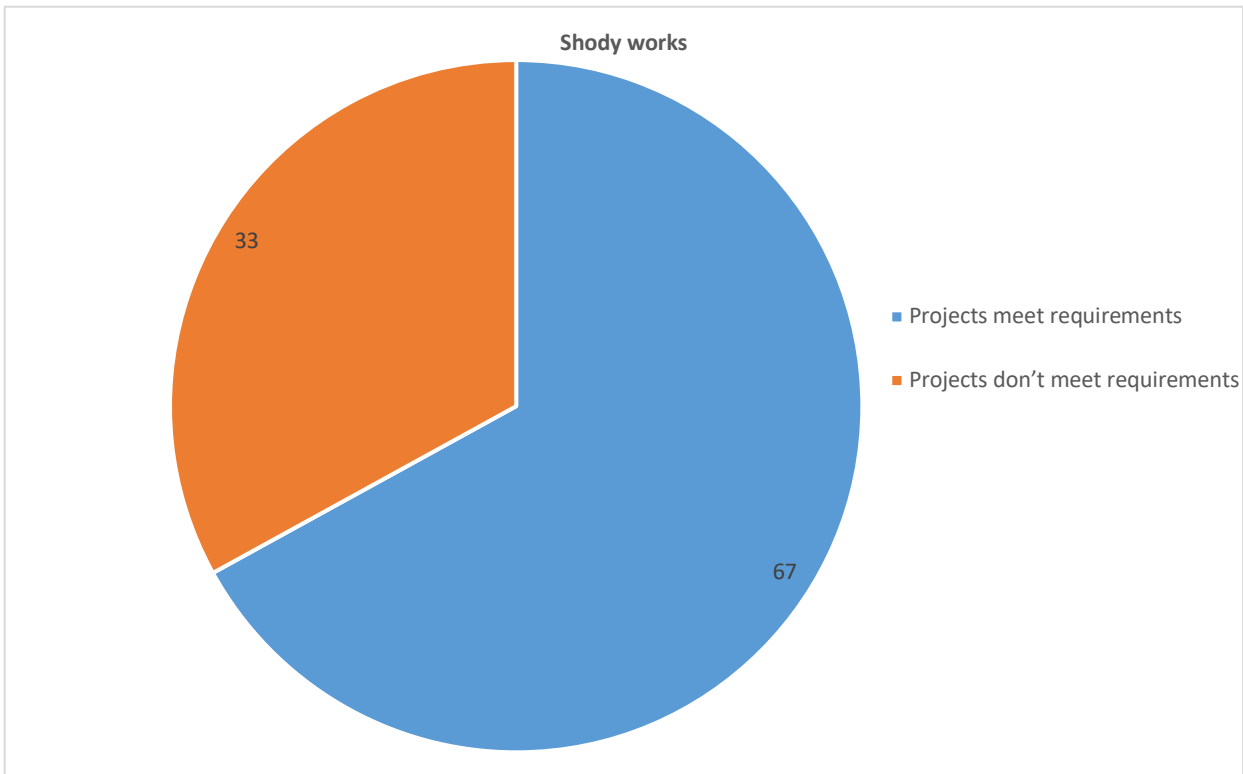
Project	Was the contract executed with in the contractual period?
Construction of 1 No. 2 story building women and children hospital	Yes
Construction Of Chips Compound At Traa	Yes
Mechanize borehole keese basehyia	No
Kesse Basahyia SHS	No
1No 3 Unit classroom block with ancillary Facility, Srepekrom Primary School	No
Construction of 1 No, 2 Unit Day Care Block	No
Construction of 1No.6-Unit Classroom block with	No

ancillary facilities	
Construction of 3unit classroom block at Nkwaeso SDA JHS	No
Construction of 3-unit classroom block SDA JHS at Nkwaeso (DACF source of funding)	Yes



3.4.3: Disclosure of Information on boards:For most of the projects, information was made public through the display of project information on signboards at the project sites. These signboards on projects sites provide information on the title of project, name of procuring entity, entity awarded the contract and the duration of the contract. Therefore, even though information provided on the boards are relevant, it is inadequate and limited.

3.4.4: Shoddy works:Our findings show that, 3 out of the 9 project monitored were not executed properly due to the state of depletion and collapse.It was difficult to assess the design and qualities of the project because there was no contract document available for verification. However, 6 out of the 9 projects reported that, no shoddy works weredone during the visit and the engagement with procurement officer, works engineer, stakeholders and users. Some of these shoddy works are caused as a result of a lack of supervision, lack of capacity of the contractor to undertake project and the use of inferior materials.



Below are some pictures showing shoddy works:

Construction of CHPs compound at Traa



Cracked wall



Collapsed manhole

The Construction of 1 No 3-unit classroom block with ancillary facilities at SREPEKROM primary school.



Collapsed roofing, as a result students are studying under trees

3.4.5: Lack of occupational Safety and Health (OSH) measures: Workers were wearing protective clothes for work so there was no damage on the part of labourers and citizens.

3.4.6: Use of less qualified personnel: According to the works engineer, the personnel use for the construction were professionals. 9 out of the 9 contracts awarded to local contractors met the contract benchmark.

3.4.7: Citizens participation:The Local Governance Act gives citizens the right to participate in the affairs of local government, to influence policy, among others. One key attribute of our findings is that, there was multi-stakeholder engagement to establish and strengthen structures and processes for citizens to be involved in the public procurement process and to monitor the execution of contract. Citizen sighting of the project was high. Since teaching staff and health workers are always close to the project site.

4.0 Conclusion:citizens have the right to participate in the planning of development project at the local level, according to the Local Governance Act. Nevertheless, in order for citizens to participate there is need for information to be disclosed so that they can make objective inputs. As is indicated in this report, one of the major problems hindering citizen involvement is the behavior of reactive disclosure where limited contract information is provided upon request. In some cases, no information is provided. Elements of shoddy works and time overrun could be mitigated with through citizen monitoring and proactive disclosure of information.

4.1 Project Specific Recommendations:

- I. **Construction of 1 no. 2-unit day nursery block at Sansama (DACF funding source)**
 - Due to the delay in execution of this project we recommend that, duty bearers should invite the contractor to amend contract data to reflect new deadlines for each of the tasks and benchmarks for the contractor as per the PPA Contract Administration Manual. And to make sure the new deadlines are realistic given the delays we have experienced and the capacity of the Contractor. The amended contract should be made available for verification.

There were delays and shoddy works recorded during monitoring the two projects below.

- I. Construction of 3-unit classroom block at SDA JHS at Srapukrom (DACF Funding Source)
- II. Construction of CHPs compound at Traa
 - Due to the shoddy work and delay in execution of the aforementioned projects, we recommend that, assembly and beneficiaries should assess the project and blacklist contractors should the assessment reveal failure to use quality materials as required in the contractual terms. We also recommend that the Assembly should make available information on amended contracts specifying reasons for delay in completion of projects etc.

4.2. General Recommendation

- One of the major challenges is the local authorities' inability to provide adequate data to assess the design and qualities of the project as specified in contract document for verification. Most of these documents should be published or made public, as required, to create the platform or encourage citizens to participate in monitoring projects in their respective communities. At every level of the procurement process, in-depth details of tenders, contracts and status reports should be provided. Contracts should be made available to PPA through the existing structures for publication on the PPA website to ensure easy access and monitoring.
- There is need for an improvement in project supervision by the local authorities. This is to ensure that contractors are implementing the project per the requirements in the contract. Increased supervision will ensure less shoddy works since quality and value for money could be assured. The Assembly should create a system to track and measure project progress and quality.

- We also recommend that where project names or locations have changed, contracts should be amended to reflect changes in all documents to avoid mismatch in names of projects corresponding documents.

ANNEX 1

TABLE

NO.	PROJECT TO MONITOR WITH FUNDING SOURCE AND CURRENT STATUS	SECTOR	STATUS
1	Construction of 1 no. 2-unit daynursery block at Sansema (DACF funding source)	Education	50%
2	Construction of 3-unit classroom block at SDA JHS at Srapukrom (DACF Funding Source)	Education	75%
3	Construction of 1 no. 3-unit classroomblock with ancillary facilities at New Techiman (DDF source of funding)	Education	100%
4	Mechanization of borehole at Kesse Basehyia at Forikrom (DPAT Source of funding)	Education	100%
5	Construction of CHPs compound at Traa	Health	75%
6	Construction of no. 2 storey women and children hospital at Techiman with DDF source of funding	Health	100%
7	Construction of 3-unit classroomblock SDA JHS at Nkwaeso (DACF source of funding)	Education	100%
8	Construction of 1 no.6 unit classroom block with ancillary at Jerusalem with DACF source of funding	Education	100%
9	Construction of no. 6-unit classroom block with ancillary facilities at Kesse Basahnyia, Forikrom (DDF source of Funding)	Education	100%

ANNEX 2:

1. Construction of 1 no. 3-unit classroom block with ancillary facilities at New Techiman (DDF source of funding)



The classroom block with the tank behind it



Toilet facility



Poly Tank stand for water supply to the toilet facility

2. Construction of no. 6-unit classroom block with ancillary facilities at Forikrom (DDF source of Funding)



Current state of the project

3. Construction of no. 2 storey women and children hospital at Techiman with DDF source of funding



Project completed and in use

4. Construction of CHPs compound at Traa



UNFURNISHED FACILITY



THE CHIEF, OPINION LEADER AND NURSES



Uncompleted Tank stand

Cracked wall

Collapse manhole at the facility

5. The Construction of 1 No 3-unit classroom block with ancillary facilities at SREPEKROM primary school.



State of the project as at March, 2021

State of the project as at April, 2021 after a strong rain

Class 1 Students Under Tree of the disaster

