



INTERNAL AUDIT DIVISION

REPORT 2014/101

Audit of local procurement in the United Nations Mission in Liberia

Overall results relating to the effective management of local procurement activities in the United Nations Mission in Liberia were initially assessed as partially satisfactory. Implementation of six important recommendations remains in progress

**FINAL OVERALL RATING: PARTIALLY
SATISFACTORY**

30 September 2014
Assignment No. 2013/626/03

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AUDIT REPORT

Audit of local procurement in the United Nations Mission in Liberia

I. BACKGROUND

1. The Office of Internal Oversight Services (OIOS) conducted an audit of local procurement in the United Nations Mission in Liberia (UNMIL).
2. In accordance with its mandate, OIOS provides assurance and advice on the adequacy and effectiveness of the United Nations internal control system, the primary objectives of which are to ensure (a) efficient and effective operations; (b) accurate financial and operational reporting; (c) safeguarding of assets; and (d) compliance with mandates, regulations and rules.
3. The UNMIL Procurement Section was responsible for the purchase, rental and sale of goods and services and other requirements needed by the Mission and was governed by the United Nations Procurement Manual. The Section was headed by an Officer-in-Charge at the P-4 level and had 28 authorized posts.
4. The UNMIL approved budget for local procurement for 2012/13 and 2013/14 was \$26 million and \$31 million respectively. UNMIL processed 658 purchase orders valued at \$23.8 million from 1 July 2012 to October 2013.
5. Comments provided by UNMIL are incorporated in italics.

II. OBJECTIVE AND SCOPE

6. The audit was conducted to assess the adequacy and effectiveness of UNMIL governance, risk management and control processes in providing reasonable assurance regarding the **effective management of local procurement activities in UNMIL**.
7. This audit was included in the OIOS 2013 risk-based work plan because of the operational and financial risks relating to the procurement of goods and services.
8. The key control tested for the audit was regulatory framework. For the purpose of this audit, OIOS defined this control as the one that provides reasonable assurance that policies and procedures: (a) exist to guide procurement activities; (b) are consistently implemented; and (c) ensure the reliability and integrity of financial and operational information.
9. The key control was assessed for the control objectives shown in Table 1.
10. OIOS conducted this audit from December 2013 to May 2014. The audit covered the period from 1 July 2012 to October 2013.
11. OIOS conducted an activity-level risk assessment to identify and assess specific risk exposures, and to confirm the relevance of the selected key control in mitigating associated risks. Through interviews and analytical reviews, OIOS assessed the existence and adequacy of internal controls and conducted necessary tests to determine their effectiveness.

12. The audit did not cover the constitution and functioning of the Local Committee on Contracts as this was covered in a previous OIOS audit in 2012.

III. AUDIT RESULTS

13. The UNMIL governance, risk management and control processes examined were initially assessed as **partially satisfactory**¹ in providing reasonable assurance regarding the **effective management of local procurement activities in UNMIL**. OIOS made seven recommendations to address the issues identified. UNMIL had ensured that the procurement of goods and services was in accordance with its delegated procurement authority. The Tender Opening Committee was operating as intended, appropriate methods of solicitation were used, and relevant procurement personnel complied with the requirement to file annual financial disclosure and declaration of interest statements. However, UNMIL needed to ensure that: (a) requisitions, scope of works and technical evaluation criteria were submitted in a timely manner; (b) market surveys were conducted, where necessary; (c) confirmation of delivery of solicitation documents to all vendors was maintained; (d) technical evaluation of bids and proposals were conducted in accordance with relevant procedures; (e) performance bonds were obtained from vendors in a timely manner; and (f) vendor performance evaluations were conducted in a timely basis. UNMIL had taken action to establish a monitoring mechanism over acquisition planning as recommended.

14. The initial overall rating was based on the assessment of the key control presented in Table 1. The final overall rating is **partially satisfactory** as implementation of six important recommendations remains in progress.

Table 1: Assessment of key control

| Business objective | Key control | Control objectives | | | |
|---|----------------------|------------------------------------|--|------------------------|---|
| | | Efficient and effective operations | Accurate financial and operational reporting | Safeguarding of assets | Compliance with mandates, regulations and rules |
| Effective management of local procurement activities in UNMIL | Regulatory framework | Partially satisfactory | Partially satisfactory | Partially satisfactory | Partially satisfactory |
| FINAL OVERALL RATING: PARTIALLY SATISFACTORY | | | | | |

Regulatory framework

Delegated procurement authority was appropriately exercised

15. The Procurement Manual required that only officials with delegated procurement authority were authorized to enter into financial commitments on behalf of the United Nations. The Under-Secretary-General for the Department of Field Support had delegated to the UNMIL Director of Mission Support the authority to procure goods and services of up to \$1 million for core requirements and \$0.5 million for

¹ A rating of “**partially satisfactory**” means that important (but not critical or pervasive) deficiencies exist in governance, risk management or control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.

non-core requirements. The Director of Mission Support subsequently sub-delegated procurement authority of up to \$75,000 to the Officer-in-Charge of the Procurement Section and \$30,000 to other procurement officers in accordance with limits prescribed in the Procurement Manual. A review of 65 purchase orders totaling \$9.7 million indicated that staff complied with their respective delegation of procurement authority. OIOS concluded that adequate and effective controls were in place to ensure that the levels of delegated authority were complied with.

Financial disclosure and declaration of interest statements were submitted to the Ethics Office

16. The Procurement Manual and Secretary-General's bulletin on financial disclosure and declaration of interest statements required all procurement officers and staff members with principal duties to procure goods and services to annually file financial disclosure and declaration of interest statements with the Ethics Office. Confirmation from the Ethics Office for calendar years 2012 and 2013 indicated that all staff members concerned had filed the required annual financial disclosure and declaration of interest statements. OIOS concluded that controls over procurement staff financial disclosure and declaration of interest statements were in place and working as intended.

The Tender Opening Committee was established and operational

17. The Procurement Manual required the establishment of a Tender Opening Committee to receive vendor responses to formal solicitations. The Manual precluded requisitioners, staff members of the Procurement Section and members of the Local Committee on Contracts from serving as members of the Tender Opening Committee. Facsimile submissions from vendors were to be sent to a dedicated number/machine located in a secured area that was only accessible to designated committee members.

18. The composition of the Committee for fiscal year 2013/14 was in accordance with the Procurement Manual. A review of 65 procurement case files indicated that vendor responses to formal solicitations were sent directly to the dedicated facsimile machine and tender box in a secured area that was accessible only to designated committee members. OIOS concluded that the Tender Opening Committee was operating as intended.

Appropriate methods of solicitation were used for the procurement of goods and services

19. The Procurement Manual required the issuance of either: (a) a formal solicitation for the procurement of goods and services with an estimated value in excess of \$40,000; or (b) an informal request for quotation for goods and services with an estimated value above \$4,000 up to \$40,000. A review of 65 purchase orders indicated that UNMIL used appropriate source selection methods for the procurement of goods and services. OIOS concluded that controls over the use of appropriate source selection methods were in place and working as intended.

Procurement requirements were not submitted in a timely manner

20. The Procurement Manual required requisitioners to submit requirements no later than six months before the intended receipt of the goods, services or works to provide adequate lead time to the Procurement Section to initiate the necessary action. A review of 65 of the 658 purchase orders issued in the audit period consisting of 28 one-time purchase orders and 37 purchase orders for contracts indicated that in 26 of the 28 one-time purchase orders, requisitioners submitted their requirements later than the required six-month lead time. In addition, requisitioners did not submit in a timely basis the required scope of work and technical evaluation criteria for new solicitations related to 12 of the 37 local system contracts that were nearing expiration.

21. Ineffective use of acquisition plans resulted in delays in the procurement process and in some cases goods being delivered 170 days after planned delivery dates. This resulted as acquisition plans and contract expiration dates were not monitored to ensure that procurement activities were conducted in a timely manner.

(1) UNMIL should establish a monitoring mechanism over acquisition planning and contract management to ensure sufficient lead time for the procurement process.

UNMIL accepted recommendation 1 and stated that bi-monthly meetings between the Procurement Section and self-accounting units were held to monitor the process. Timely receipt of self-accounting units' requests would provide the Procurement Section sufficient time to conduct the procurement process. Based on action taken by UNMIL, recommendation 1 has been closed.

Market survey was not conducted to ensure best value for money

22. The Procurement Manual required the conduct of market surveys to ascertain qualified sources and to determine competition, capabilities or estimated costs before developing new specifications or soliciting new products with which the United Nations was not familiar.

23. The requisition and related solicitation for the provision of some generator spare parts indicated that the required market survey was not conducted even though the Mission was soliciting new products. This resulted as the Procurement Section assumed that UNMIL had previously procured the spare parts and had a sufficient number of potential vendors in its vendor database.

24. The lack of a market survey resulted in significant differences between the estimated unit cost and the actual purchase unit cost of the items requisitioned. For example, a contract was awarded to the lowest technically compliant vendor for a total of \$240,077 which was \$110,739 (or 86 per cent) higher than the total requisitioned cost. The basis used by the requisitioner to estimate the unit cost of the items requisitioned was unrealistic as it was not supported by a market survey and none of the items requisitioned had been previously procured by UNMIL. The lack of a market survey impeded the Mission's ability to ensure that it had obtained best value for money.

(2) UNMIL should conduct market surveys for items previously not procured by the Mission to determine reasonable requisition cost and to ensure that it is obtaining best value for money.

UNMIL accepted recommendation 2 and stated that market surveys had been conducted to determine availability and capability of vendors. In addition, an expression of interest had been issued for such items in the United Nations website and local newspapers and media. Recommendation 2 remains open pending receipt of evidence that procedures are in place to ensure that market surveys are conducted for items not previously procured by the Mission.

Confirmation of delivery of solicitation documents to all vendors was not maintained

25. The Procurement Manual required that all prospective vendors were given an equal chance and sufficient time to review, formulate and participate in solicitation exercises.

26. A review of 65 purchase orders indicated that confirmation of delivery of solicitation documents was not maintained in all cases. Evidence of transmission to some vendors was missing in the procurement case files. Also, solicitations were not simultaneously delivered to all prospective vendors as they were transmitted on different dates. As a result, vendors were not given equal time to prepare and

submit their responses before the closing date of solicitations. This was due to outdated vendor contact information in the Mercury database, vendors' lack of electronic means of communication and non-enforcement of the requirement to maintain evidence of delivery of solicitation documents to vendors.

27. As a result, the transparency and integrity of the solicitation process were compromised. UNMIL explained that: (a) prior to the transition to Umoja, existing vendor contact information in the Mercury database was updated and loaded into the United Nations Global Market database; and (b) subsequently it was the responsibility of the vendor to ensure that contact information in the database was updated.

(3) UNMIL should implement an action plan to ensure that adequate documentation of delivery of solicitation documents is maintained.

UNMIL accepted recommendation 3 and stated that lack of dedicated email for bids had been a challenge; however, confirmations of bid documents hand-delivered to vendors were maintained in the case files. Recommendation 3 remains open pending receipt of evidence showing that UNMIL maintains adequate documentation of the delivery of solicitation documents, hand-delivered and emailed.

Technical evaluation of vendor proposals was not appropriately conducted

28. The Procurement Manual prescribed that: (a) evaluation criteria needed to be discrete, reliable, practical, fair and balanced; and (b) deviation or changes from the agreed protocol and methodology in the source selection plan needed to be avoided to ensure the integrity of the procurement process.

29. Fifty of 65 procurement cases reviewed indicated that technical evaluation criteria used to evaluate bids/proposals were not always discrete, practical and fair, and that the technical evaluation team did not always conduct evaluations in accordance with criteria stipulated in the approved source selection plan. For example, UNMIL did not document the actual basis of evaluating the quality of sample reels submitted by vendors for the provision of film and video production services. Also, the evaluation criteria specified in the source selection plan for the supply and delivery of personal protection gear was different from the criteria used to evaluate actual bids submitted by the vendors.

30. The above lapses resulted because the Procurement Section did not effectively review technical evaluation reports to ensure that all bids and proposals were fairly evaluated by self-accounting units in accordance with criteria and protocol prescribed in the source selection plans and solicitation documents. This compromised the integrity and transparency of the procurement process.

(4) UNMIL should establish a mechanism to ensure that technical evaluations of bids and proposals are thoroughly and fairly conducted.

UNMIL accepted recommendation 4 and stated that proper technical evaluation was being emphasized in bi-monthly meetings between the Procurement Section and self-accounting units. Recommendation 4 remains open pending receipt of evidence of implementation of procedures to ensure that technical evaluations of bids and proposals are conducted thoroughly and fairly.

Performance bonds were not always obtained

31. The Procurement Manual required UNMIL to obtain performance bonds to mitigate the risk of financial losses in the event a vendor failed to perform its contracted obligations. UNMIL typically required successful vendors to furnish a performance bond of 10 per cent of the contract value within 10 days of signing the contract.

32. Of the 37 contracts reviewed, 16 required performance bonds. Of these 16, three were submitted by the respective vendors in a timely manner and two performance bonds totaling \$13,775 were submitted five to nine months after the contracts were signed instead of the stipulated 10 days. For the remaining 11 contracts, the required performance bonds totaling \$75,017 were never obtained.

33. The above resulted as the Procurement Section did not conduct adequate reviews of contract provisions and follow-up with contractors to ensure that performance bonds were obtained. As a result, UNMIL was exposed to financial losses in the event of vendors' failure to perform their obligations.

(5) UNMIL should establish a mechanism to ensure that prescribed performance bonds are obtained from vendors in a timely manner.

UNMIL accepted recommendation 5 and stated that performance bonds were strictly enforced and no contracts were awarded without performance bonds. Nonetheless, UNMIL would strengthen procedures to obtain performance bonds from vendors. Recommendation 5 remains open pending receipt of evidence of implementation of procedures strengthening compliance with the requirement for vendor performance bonds.

UNMIL did not amend the memorandum of understanding to remove dual obligations for airport services

34. Financial Rule 105.9 required that all obligations were based on a formal contract, agreement, purchase order, other form of undertaking or a liability recognized by the United Nations and supported by an appropriate obligating document.

35. UNMIL and a contractor signed a memorandum of understanding for the provision of airport services at a consolidated amount of \$10,620 per month, effective 1 January 2008. Subsequently, on 15 December 2011, UNMIL entered into a new contract with the same contractor for additional services including those specified in the memorandum of understanding. However, UNMIL did not amend its previous obligation as reflected in the memorandum of understanding. This was due to the lack of clarity on the section that was responsible for making amendments to the memorandum of understanding. As a result, UNMIL still had a legal obligation to pay the monthly fee of \$10,620 as prescribed in the memorandum of understanding although it had stopped making this payment after the new contract came into effect in 2011.

(6) UNMIL should amend the memorandum of understanding with an airport agency to ensure that there is only one contract or agreement governing its obligation for airport services.

UNMIL accepted recommendation 6 and stated that the memorandum of understanding and the ground handling contract dealt with different aspects of ground handling and flight operations. Although the agreements covered different aspects of flight operations, UNMIL still had legal obligations under both agreements for the concerned services totaling \$10,620. Recommendation 6 remains open pending receipt of evidence that the memorandum of understanding has been amended appropriately.

Monitoring and evaluation of vendors' performance was not consistently conducted

36. The Procurement Manual required the Procurement Section to ensure that vendors' performance were evaluated in a timely manner and that only contracts with satisfactory vendor performance were

renewed or extended. Poor performing vendors were to be excluded from participating in future solicitations.

37. A review of 65 purchase orders indicated that: (a) requisitioners/end users did not conduct performance evaluations of vendors in a timely manner; and (b) the Procurement Section renewed or extended contracts despite unsatisfactory performance by some vendors, and awarded new contracts without reviewing contractors' previous performance. For example: performance evaluations were conducted on 11 purchase orders after 11 months from the date of receipt of goods or services, 2 contracts were extended although the contractors' previous performance was unsatisfactory, and 8 new contracts were awarded without reviewing contractors' previous performance.

38. This was due to ineffective contract management and monitoring of contractors' performance by both requisitioners and the Procurement Section. As a result, prior vendor performance was not appropriately considered in extending or awarding new contracts, compromising the effectiveness of procurement activities.

(7) UNMIL should implement contract management procedures to ensure that vendor performance evaluations are conducted in a timely manner and considered when extending contracts or conducting future solicitations.

UNMIL accepted recommendation 7 and stated that Procurement Section had no manpower capacity due to the lack of a Contracts Management Unit; however, self-accounting units had been encouraged to conduct vendor performance evaluations in a timely manner. Recommendation 7 remains open pending receipt of evidence that the vendor performance monitoring system has been strengthened and performance evaluations are being conducted in a timely manner.

IV. ACKNOWLEDGEMENT

39. OIOS wishes to express its appreciation to the Management and staff of UNMIL for the assistance and cooperation extended to the auditors during this assignment.

(Signed) David Kanja
Assistant Secretary-General for Internal Oversight Services

STATUS OF AUDIT RECOMMENDATIONS

Audit of local procurement in the United Nations Mission in Liberia

| Recom. no. | Recommendation | Critical ¹ / Important ² | C/ O ³ | Actions needed to close recommendation | Implementation date ⁴ |
|------------|--|---|----------------------|---|----------------------------------|
| 1 | UNMIL should establish a monitoring mechanism over acquisition planning and contract management to ensure sufficient lead time for the procurement process. | Important | C | Action taken. | March 2014 |
| 2 | UNMIL should conduct market surveys for items previously not procured by the Mission to determine reasonable requisition cost and to ensure that it is obtaining best value for money. | Important | O | Receipt of evidence that procedures are in place to ensure that market surveys are conducted for items not previously procured by the Mission. | November 2014 |
| 3 | UNMIL should implement an action plan to ensure that adequate documentation of delivery of solicitation documents is maintained. | Important | O | Receipt of evidence showing that UNMIL maintains adequate documentation of the delivery of solicitation documents. | November 2014 |
| 4 | UNMIL should establish a mechanism to ensure that technical evaluations of bids and proposals are thoroughly and fairly conducted. | Important | O | Receipt of evidence of procedures implemented to ensure that technical evaluation of bids and proposals is conducted thoroughly and fairly. | November 2014 |
| 5 | UNMIL should establish a mechanism to ensure that prescribed performance bonds are obtained from vendors in a timely manner. | Important | O | Receipt of evidence of procedures strengthening vendor performance bonds. | November 2014 |
| 6 | UNMIL should amend the memorandum of understanding with an airport agency to ensure that there is only one contract or agreement governing its obligation for airport services. | Important | O | Receipt of evidence that the memorandum of understanding has been amended appropriately. | November 2014 |
| 7 | UNMIL should implement contract management procedures to ensure that vendor performance evaluations are conducted in a timely manner and considered when extending contracts or conducting future solicitations. | Important | O | Receipt of evidence that the vendor performance monitoring system has been strengthened and performance evaluations are being conducted in a timely manner. | December 2014 |

¹ Critical recommendations address significant and/or pervasive deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance cannot be provided regarding the achievement of control and/or business objectives under review.

² Important recommendations address important deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.

³ C = closed, O = open

⁴ Date provided by UNMIL in response to recommendations.

APPENDIX I


Management Response



Office of the Special Representative of the Secretary General

Date: 12 September 2014

TO: Ms. Eleanor T. Burns
Chief, Peacekeeping Audit Service
Internal Audit Division, OIOS

FROM: Karin Landgren 
Special Representative of the Secretary General

SUBJECT: UNMIL response to the Draft audit report on Procurement activities in UNMIL (Assignment No. AP/3013/626/03)

Thank you for providing us with the opportunity to comment on the above referenced audit.

Please see the comments of the mission to the audit in the attached matrix, as requested in your memorandum No. IAD-14, dated 15 August 2014. A word version of the matrix is immediately provided to you via e-mail, while a hardcopy of the matrix and this signed memorandum will be delivered by Mail & Pouch.

Regards

CC: Mr. Hubert Price, Director of Mission Support, UNMIL.
Ms. Denise Wilman, Chief of Staff, UNMIL.
Ms. Barbara Klopp, Chief Administrative Services, UNMIL.
Mr. Luis Alvarez, Officer-in-Charge Procurement Section, UNMIL.
Ms. Magdalene Venn, Administrative Officer/Audit Unit, ODMS, UNMIL.
Mr. Bernard Philips, Audit Focal Point, O/DMS, UNMIL.
Ms. Cynthia Avena-Castillo, Professional Practices Section, Internal Audit Division, OIOS

Management Response

Audit of local procurement in the United Nations Mission in Liberia

| Para. no. | Recommendation | Critical ¹ / Important ² | Accepted? (Yes/No) | Title of responsible individuals | Implementation date | Client comments ³ |
|-----------|--|---|-----------------------|---|---------------------|--|
| 1 | UNMIL should establish a monitoring mechanism over acquisition planning and contract management to ensure sufficient lead-time for the procurement process. | Important | Yes | Self-Accounting Units and Procurement Officer | March 2014 | Timely receipt of Self Accounting Units request based on Acquisition Plan will enable Procurement Section sufficient time to conduct procurement process. Bi-monthly meetings with Self Accounting Units are in place to monitor received requests. (Evidence provided to the Auditors). |
| 2 | UNMIL should conduct market surveys for items previously not procured by the Mission to determine reasonable requisitioned cost and to ensure that it is obtaining best value for money. | Important | Yes | Procurement Officers | November 2014 | Market survey and stocks have been conducted to determine availability and capability of vendors, however, due to Geographical location expansion to other location has been a challenge. Movement to the regions within Liberia has been very unsuccessful due to road network. Expression Of Interest has been issued for such items in the UN website and local Newspaper s and media |
| 3 | UNMIL should implement an action plan to ensure adequate documentation of delivery of solicitation documents is maintained. | Important | Yes | Procurement/Contracts Officer | November 2014 | Lack of dedicated email for bids has been a challenge, however, local vendors collect and sign for delivered bid documents maintained in the case file. (Evidence provided to the Auditors). |
| 4 | UNMIL should establish a mechanism to ensure that technical evaluation of bids | Important | Yes | Self-Accounting Units | November 2014 | Bi-monthly meetings between Procurement Section and Self Accounting Units emphasize on |

¹ Critical recommendations address significant and/or pervasive deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance cannot be provided regarding the achievement of control and/or business objectives under review.

² Important recommendations address important deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.

³ Please indicate feasibility and realistic timelines for implementation of the recommendation.

Management Response

Audit of local procurement in the United Nations Mission in Liberia

| Para. no. | Recommendation | Critical ¹ / Important ² | Accepted? (Yes/No) | Title of responsible individuals | Implementation date | Client comments ³ |
|-----------|---|---|-----------------------|---|---------------------|---|
| | and proposals are thoroughly and fairly conducted. | | | | | proper compliance on Technical Evaluation reports and procedures as well as priorities required by the SAUs. (Evidence provided to the Auditors). |
| 5 | UNMIL should establish a mechanism to ensure that prescribed performance bonds are obtained from vendors in a timely manner. | Important | Yes | Contracts Officer | November 2014 | This procedure is standard in the Procurement Section. Performance Bonds are strictly enforced at the Mission level. No contracts are awarded without Performance Bonds. However, the procedure will be strengthened as per the recommendation. (Evidence provided to the Auditors). |
| 6 | UNMIL should amend the memorandum of understanding with an airport agency to ensure that there is only one contract or agreement governing its obligation for airport services. | Important | Yes | Contracts Officer | November 2014 | The Memorandum of Understanding with Robert International Airport deals with a lot of things – parking, fires services, apron facilities, Air Traffic Control services, etc. and does not have financial implication to the Mission. While the ground handling Contract deals with the aspect of the entire flight operations. (Evidence provided to the Auditors). |
| 7 | UNMIL should implement contract management procedures to ensure that vendors performances evaluations are conducted in a timely manner and considered when extending contracts or conducting future solicitations | Important | Yes | a) Management b) Self-Accounting Units | December 2014 | a) Procurement Section has no man power capacity due to lack of Contract Management Unit to be established outside Procurement Section. b) Self-Accounting Units have been encouraged to conduct vendor performance on every delivery in a timely manner to enable Procurement Section review its vendor committee for remedy action. |