# Annual Performance Report for the year 2019

# Name of the Institution – National Procurement Commission

## Expenditure Head No 024

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# Chapter 01 - Institutional Profile/Executive Summary

## 1.1. Introduction

The National Procurement Commission has been established under the 19th Amendment to the Sri Lankan Constitution, to regulate and monitor the public procurement process in the country.

During the period from 01st January 2019 to 31stDecember 2019, forty-five (45) meetings were held by the National Procurement Commission. At the said meetings, the Commission perused the various Memoranda presented by the two main divisions of the Commission - Procurement Policy and Capacity Building; and Procurement Monitoring & Investigations, in line with the functions assigned to it under Chapter XIXB of the Constitution.

The incumbent members of the Commission are as follows:

| | | |
|---|---|---|
| i. | Eng. B.N.I.F.A. Wickramasuriya | Chairman |
| ii. | Prof. (Mrs.) D.E.R.C. Weddikkara | Member |
| iii. | Mr. Christy Perera | Member |
| iv. | Mr. M. Vamadevan | Member |
| v. | Dr. P. Ekanayake | Member |

## 1.2. Vision, Mission, Objectives of the Institution

**Vision:**

Public procurement systems, procedures and systems accessible to all.

**Mission:**

To formulate policies, guidelines and procedures and to facilitate implementation through standardization, monitoring, capacity development and introduction of necessary policy reforms to ensure value for money in public procurement.

**Objectives:**

- To ensure adherence to procurement policy, guidelines and processes;
- To monitor compliance with procurement policies, guidelines and processes by government procurement entities to ensure that necessary policy and procedural changes are introduced and to assign the responsibility related to deviations and to address the grievances of the public;
- To strengthen the delivery capacity of the National Procurement Commission to address national requirements and public needs.

### 1.3. Key Functions

According to Article 156C (1) of the Constitution, the main function of the National Procurement Commission is the,

- Formulation of fair, equitable, transparent, competitive and cost effective procedures and guidelines, for the procurement of goods and services, works, consultancy services and information systems by Ministries, Departments, Public Corporations, Local Authorities, business undertakings vested under the government and companies with more than fifty per centum of shares held by the government, a public corporation or a local authority.

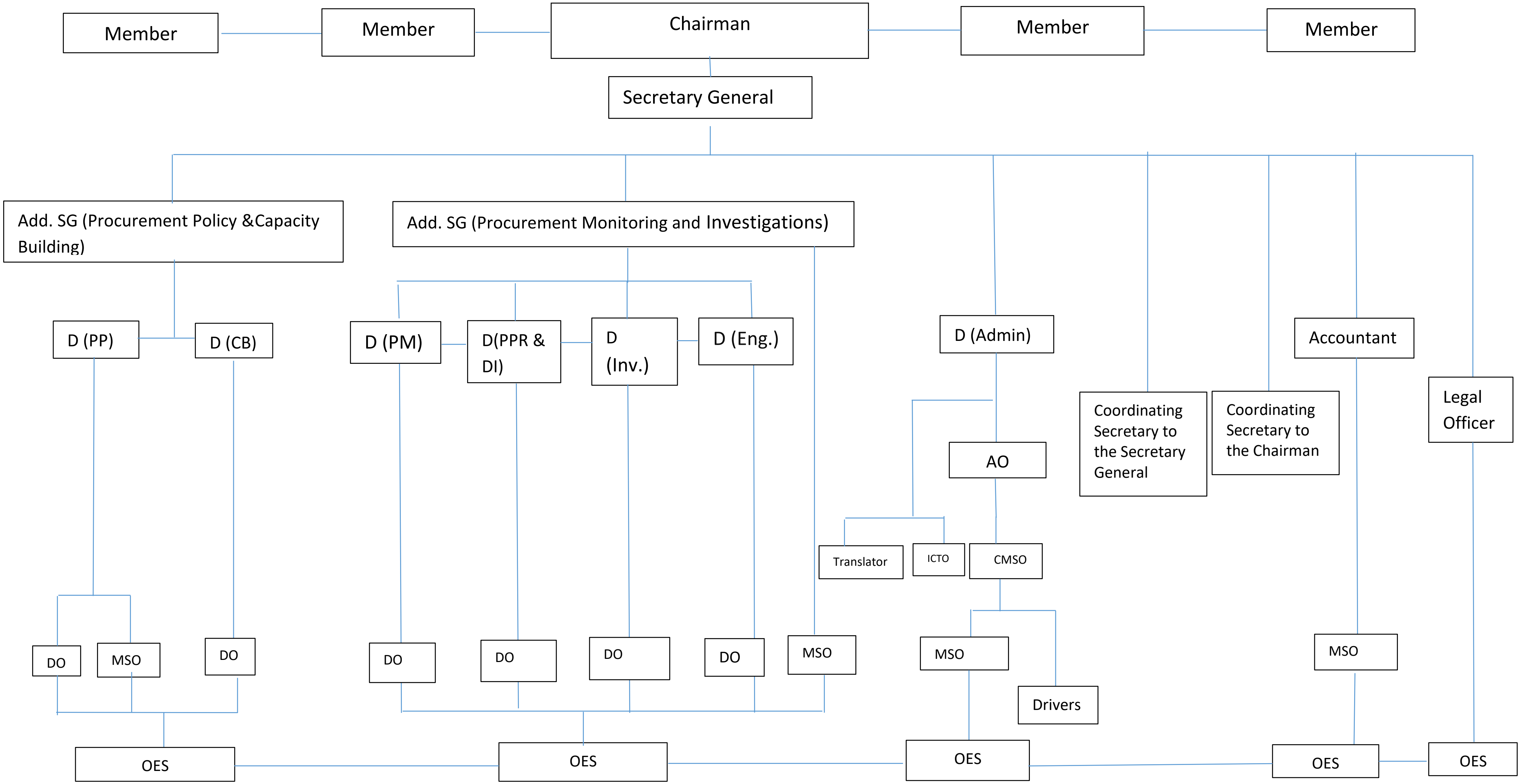
As per the provisions of Article 156C (2) (a) to (e), the other functions of the Commission are to monitor and report to Parliament on whether all procurements of goods and services, works, consultancy services and information systems by the aforesaid government institutions:

- are based on procurement plans prepared in accordance with previously approved action plans;
- all qualified bidders for the above procurements are afforded an equal opportunity to participate in the bidding process;
- the procedure for the selection of contractors and the awarding of contracts for the above procurements, are fair and transparent;
- members of Procurement Committees and Technical Evaluation Committees relating to the above procurements, are suitably qualified; and
- Investigate reports of procurements made outside established procedures and guidelines, and report the officers responsible to the relevant authorities.

In order to implement the above, the NPC has identified the following nine core functions, in its Strategic Plan for the year 2019 – 2021.

- Policy Formulation
- Standardization
- Introduction of Competency Levels
- Compliance Monitoring
- Complaints Handling
- Investigations
- Assigning Responsibility
- Policy Reforms
- Communication &Capacity Building

### 1.4. Organizational Chart of the National Procurement Commission



## 1.5. Main Divisions of the National Procurement Commission

### 1.5.1 Procurement Policy & Capacity Building Division

This division is headed by the Additional Secretary General (Procurement Policy & Capacity Building). There are two Directors in the division, Director (Procurement Policy) and the Director (Capacity Building) and each heads a separate unit.

The Procurement Policy Unit handles the Core Functions of Policy Formulation, Standardization and Policy Reforms while the Capacity Building Unit hands the Core Functions of Setting Competency Levels and Communication & Capacity Building.

There is a Development Officer, Management Service Officers, Graduate Trainees and an Office Employee to assist the work of the Division.

### 1.5.2 Procurement Monitoring & Investigations Division

This division is headed by the Additional Secretary General (Procurement Monitoring & Investigations). There are four Directors assigned to the division, namely, Director (Procurement Monitoring), Director (Post Procurement Review & Detailed Investigations), Director (Engineering) and Director (Investigations).

The Core Functions of Compliance Monitoring is handled by the Director (Procurement Monitoring) and Director (Post Procurement Review) while the Director (Engineering) and the Director (Investigations) deals with Complaint Handling.

There is a Development Officer, Management Service Officers, Graduate Trainees and an Office Employee to assist the work of the division.

### 1.5.3 Administration Division

The day to day administration of the office, attending to the establishments matters of the staff, as well as implementing the Core Function of Strengthening the Delivery Capacity of the NPC, are undertaken by this division. It is headed by the Director (Administration). An Administrative Officer, three Management Service Officers and an Office Employee assist the division. The four drivers at NPC are also attached to this division.

### 1.5.4 Accounts Division

The Accounts Division is headed by the Accountant, who is assisted by four Management Service Officers and an Office Employee. The accounts division is responsible for all matters of finance, accounting and procurement in the office of the NPC.

It should be noted that unlike in a Ministry, there are no Institutions or Funds coming under the National Procurement Commission.

# Chapter 02 –Progress and the Future Outlook

## Special Achievements, challenges and future goals in relation to the four divisions of NPC

### 2.1 Procurement Policy & Capacity Building Division

#### 2.1.1 Procurement Policy Unit

**Special Achievements**

- In performance of the functions vested in terms of Article 156c (1) of the constitution of the democratic Socialist republic of Sri Lanka, the National Procurement commission published the guidelines for procurement of goods and services, work, consultancy services and information systems by government institutions and to provide for matters connected therewith and incidental thereto, in the Government Gazette (Extraordinary) No. 2144/68 on 12th October 2019, after completing an extensive consultation process with the stakeholders and after receipt of cabinet approval.
- Preparation of Procurement Guidelines on Procurement of Public Private Partnership Projects.
- Preparation of Procurement Guidelines on Procurement of Pharmaceutical and Medical devices.
- Preparation of Standard Procurement Documents for Shopping Procedure and General Goods under National Competitive Bidding (NCB).
- Playing advisory role to the Ministry of Internal & Home Affairs and Provincial Councils & Local Government to formulate Procurement Guidelines in line with the above mentioned guidelines for Municipal Councils, Urban Councils and Pradeshiya Sabahas.

**Challenges**

- Obtaining Parliamentary approval for the already published National Procurement Guidelines.

**Goals**

- Issuance of Procurement Manuals
- Issuance of Procurement Guidelines on Procurement of Public Private Partnership Projects.
- Issuance of Procurement Guidelines on Procurement of Pharmaceutical and Medical devices.
- Issuance of Standard Procurement Documents for Shopping Procedure and General Goods under National Competitive Bidding (NCB).
- Issuance of Procurement related Entity Specific Guidelines and Manuals for SOEs.

### 2.1.2 Procurement Capacity Building Unit

**Special Achievements**

- Implementation of approved Training Plan
- Conducting Training Programs at National, Provincial, District and Institutional levels.
- Preparation of Training Materials

**Challenges**

- Delay in obtaining Parliamentary approval for the Procurement Guidelines.

**Goals**

- Conducting training programs at National, Provincial and District and institutional level as planned
- Preparation of Training Modules and materials
- Introduction of Competency Levels for Public Officers engaged in Procurement Activities

## 2.2 Procurement Monitoring & Investigations Division

### 2.2.1 Procurement Monitoring Unit

**Special Achievements**

- Amended the Procurement Plan Format by inserting two columns to improve the interlink between the Action Plan and the Procurement Plan with the Commission approval. “Reference to Action Plan” and “Vote Particulars” are the newly added columns to the Procurement Plan Format.
- Amended the Action Plan format to improve the interlink between the Action Plan and the Procurement Plan with the Commission approval. “Serial No.” and “Vote Particulars” are the newly added columns to the Action Plan Format.

**Challenges**

- Ministries and their institutions **submit** their respective Action Plans and the Procurement Plans to the NPC, all along the year without complying with deadline. This inhibits the undertaking of detailed analysis by Procurement Monitoring Division.
- **Frequent and drastic amendments** to the initial Action Plans and Procurement Plans are carried out by the Ministries and Institutions throughout the year, had adversely impacted on the evaluations and analyses that the Procurement Monitoring division.

- In addition to the above mentioned major issues there are several other reasons mentioned below, that hinder the smooth functioning of the Procurement Monitoring Division.
- NPC approved **Procurement Plan and Action Plan formats were not followed** by many of the Ministries and Institutions, which adversely impact the comparisons. Even a comparison between the institutions under the purview of the same Ministry cannot be conducted due to this issue.
- **"Reference to the Action Plan"** column is generally ignored in most Procurement Plans. This opens up an opportunity for the institutions to misuse funds as Procurement Monitoring cannot be based on subjective judgements.
- Some of the Action Plans and the Procurement Plans were **not signed and approved** by the Chief Accounting Officer.

**Future Goals**

- Enhance the number of the Ministries (together with the Institutions, which are under the purview of the Ministries) submitting the Action Plans and Procurement Plans according to the prescribed formats, through closer coordination and follow up action.
- To include at least one third of the total number of Ministries in monitoring the relationship between procurements in the Procurement Plan with activities in the Action Plan.
- Further, it is expected to develop a web based Procurement Monitoring platform to improve the efficiency of the monitoring system.

### 2.2.2 Post Procurement Review & Detailed Investigations Unit

**Special Achievements**

- Conducting PPR of concluded procurements in 2017 was started during the 04$^{th}$ Quarter, by engaging the services of six external consultants. Out of the 83 number of procurements selected from 06 ministries, 49 were completed at the end of the year.

**Challenges**

- Although it is planned to increase the number of Post Procurement Reviews in future, there is a challenge due to the limitation of existing number of consultants. Therefore, recruiting of ex public servants who possess a good knowledge and experience of the public procurements and training them on the PPR process in vital for the success of the PPR work.

**Future Goals**

- There were no detailed investigations done during the year due to lack of staff in the Commission. At present, there are no investigation officers in the cadre of NPC. Therefore, it is needed to recruit required staff or outsource capable persons who have experience in conducting investigation on procurement matters.

### 2.2.3 Procurement Investigations Unit

**Special Achievements**

- Any deviations or shortcomings found during the investigation of a particular procurement process are intimated by the NPC to relevant PEs to avoid such lapses in future procurements. As a result, a considerable number of PEs are following the Government Procurement Guidelines and using relevant Standard Bidding Documents in their procurements.

**Challenges**

- However, since the investigations are done only on the completed procurements, action is only taken to warn the relevant PE who had deviated from the Guidelines, to avoid such mistakes in future procurements.
- Further, the delay in getting all the required documents and reports at one time from the relevant Procurement Entities is another challenge to proceeding with investigations on the complaints in a shorter duration.
- At the beginning of the year 2019, there were 145 pending complaints to be looked into, with only 82 reports regarding the same being available from the Ministries. Of these reports, more than 30 reports had to be called again due to the lack of details that would facilitate an informed and unbiased decision. Then, during the year 2019, another 145 complaints were received anew. Although a total of 133 reports were received from the Ministries during the year, 49 reports out of that number were incomplete and had to be called again. Amidst these hindrances, the Commission managed to complete investigations regarding 115 complaints during the year 2019.

**Goals**

- To efficiently address all relevant complaints against public procurement in shortest time.
- To ensure that the Heads of relevant PEs take suitable action regarding the prevention of procurement malpractices.

### 2.3 Administration Division

**Special Achievements**

- 75% of the cadre vacancies were addressed.
- Highly qualified personnel were obtained through advertising for Senior Posts.
- Comprehensive Quarterly Progress Reports and a detailed Annual Report were submitted to Parliament.
- Trainings were conducted according to the approved HRM Plan and a minimum of 12 hours training assured to each permanent officer.

**Challenges**

- Addressing the rest of the cadre vacancies.
- Implementing productivity initiatives.

**Goals**

- Fulfilling the day to day administrative matters efficiently and effectively.
- Implementation of the allotted tasks in the Action Plan.
- Maintenance of proper records.
- Tendering reports to the relevant authorities in time.
- Filling all the vacant posts.

### 2.4 Accounts Division

**Special Achievements**

- Expenditure on both Capital and Recurrent were undertaken with approved budgetary provisions.
- All expected purchases were made during the year.
- All reports, including Financial statements, Board of survey reports, Budget estimates and all the answers for audit quarries were forwarded to the relevant institutions before the due date.

**Challenge**

- Obtaining of required budget for the requirements of the Commission.
- Training the staff of Accounts division on functions of the Finance Division.

**Goals**

- Spending the funds efficiently and effectively.
- Implementation of relevant budget proposals achieving the objectives of the NPC.
- Maintenance of all the Assets Managements.
- Financial Reporting to relevant authorities on time.

## Chapter 03 - Overall Financial Performance for the Year ended 31st December 2019

### 3.1 Statement of Financial Performance

ACA -F

**Statement of Financial Performance**

**for the period ended 31st December 2019**

Rs.

| Budget 2019 | | Note | Actual 2019 | Actual 2018 | |
|---|---|---|---|---|---|
| - | **Revenue Receipts** | | - | - | |
| - | Income Tax | 1 | - | - | ACA-1 |
| - | Taxes on Domestic Goods & Services | 2 | - | - | ACA-1 |
| - | Taxes on International Trade | 3 | - | - | ACA-1 |
| - | Non Tax Revenue & Others | 4 | - | - | ACA-1 |
| - | **Total Revenue Receipts (A)** | | - | - | |
| - | **Non-Revenue Receipts** | | - | - | |
| - | Treasury Imprests | | 90,810,000 | 64,055,000 | **ACA-3** |
| - | Deposits | | 93,555 | 344,257 | **ACA-4** |
| - | Advance Accounts | | 1,151,003 | 4,991,687 | **ACA-5** |
| - | Other Receipts | | 882,403 | 587,287 | |
| - | **Total Non Revenue Receipts (B)** | | **92,936,961** | 69,978,232 | |
| - | **Total Revenue Receipts & Non Revenue Receipts C = (A)+(B)** | | **92,936,961** | 69,978,232 | |
| | **Less: Expenditure** | | | | |

| | | | | | |
|---|---|---|---|---|---|
| - | **Recurrent Expenditure** | | **-** | - | |
| 30,760,000 | Wages, Salaries & Other Employment Benefits | **5** | 30,522,879 | 23,022,025 | **ACA-2(ii)** |
| 48,400,500 | Other Goods & Services | **6** | 43,045,809 | 0 | |
| 365,500 | Subsidies, Grants and Transfers | **7** | 337,680 | 0 | |
| - | Interest Payments | **8** | - | 154,992 | |
| - | Other Recurrent Expenditure | **9** | - | 34,109,051 | |
| 79,517,000 | **Total Recurrent Expenditure (D)** | | **73,906,367** | 57,286,068 | |
| | **Capital Expenditure** | | | | |
| 8,547,000 | Rehabilitation & Improvement of Capital Assets | **10** | 7,064,930 | 7,338,205 | **ACA-2(ii)** |
| | Acquisition of Capital Assets | **11** | 4,534,521 | 3,542,282 | |
| - | Capital Transfers | **12** | - | - | |
| 3,606,000 | Acquisition of Financial Assets | **13** | - | - | |
| 1,000,000 | Capacity Building | **14** | 3,557,364 | 76,000 | |
| - | Other Capital Expenditure | **15** | 175,750 | - | |
| - | **Total Capital Expenditure (E)** | | **15,332,564** | 10,956,487 | |
| | **Main Ledger Expenditure (F)** | | **2,787,257.00** | **1,967,623.03** | |
| | **Deposit Payments** | | 103,175 | 14,150 | **ACA-4** |
| | **Advance Payments** | | 2,684,082 | 1,953,473 | **ACA-5** |
| | **Total Expenditure G = (D+E+F)** | | 92,026,188 | 70,210,178 | |
| - | **Imprest Balance as at 31st December 2020 H = (C-G)** | | 910,773 | (231,946) | |

### 3.2 Statement of Financial Position

| | | | ACA-P |
|---|---|---|---|
| **Statement of Financial Position**<br>**As at 31st December 2019** | | | |
| | | **Actual** | |
| | **Note** | **2019**<br>**Rs** | **2018**<br>**Rs** |
| **Non-Financial Assets** | | | |
| Property, Plant & Equipment | **ACA-6** | 23,391,506 | 9,580,083 |
| **Financial Assets** | | | |
| Advance Accounts | **ACA-5/5(a)** | 3,287,855 | 3,518,777 |
| Cash & Cash Equivalents | **ACA-3** | - | - |
| **Total Assets** | | **26,679,362** | **13,098,860** |
| **Net Assets / Equity** | | | |
| Net Worth to Treasury | | 1,203,368 | 1,424,669 |
| Property, Plant & Equipment Reserve | | 23,391,506 | 9,580,083 |
| Rent and Work Advance Reserve | **ACA-5(b)** | 1,764,000 | 1,764,000 |
| **Current Liabilities** | | | |
| Deposits Accounts | **ACA-4** | | |
| Imprest Balance | **ACA-3** | 320,487 | 330,107 |
| **Total Liabilities** | | -<br>**26,979,362** | -<br>**13,098,860** |

### 3.3 Statement of Cash Flows

| | | ACA-C |
|---|---|---|
| **Statement of Cash Flows<br>for the Period ended 31st December 2019** | | |
| | **Actual** | |
| | **2019<br>Rs.** | **2018<br>Rs.** |
| **Cash Flows from Operating Activities** | | **-** |
| Total Tax Receipts | - | - |
| Fees, Fines, Penalties and Licenses | - | - |
| Profit | - | - |
| Non-Revenue Receipts | | 69,347,213 |
| Revenue Collected for the Other Heads | - | |
| Imprest Received | 92,654,847 | |
| **Total Cash generated from Operations (a)** | **92,654,847** | **69,347,213** |
| **Less - Cash disbursed for:** | | |
| Personal Emoluments & Operating Payments | 73,512,588 | 23,011,585 |
| Subsidies & Transfer Payments | 337,680 | 34,264,043 |
| Expenditure on Other Heads | 1,195,634 | 1,065,808 |
| Impress Settlement to Treasury | | 49,289 |
| **Total Cash disbursed for Operations (b)** | **75,045,902** | **58,390,725** |
| **NET CASH FLOW FROM OPERATING ACTIVITIES(c )=(a)-( b)** | **17,608,945** | **10,956,488** |
| **Cash Flows from Investing Activities** | | |
| Interest | - | - |
| Dividends | - | - |
| Divestiture Proceeds & Sale of Physical Assets | - | - |
| Recoveries from On Lending | - | - |
| Recoveries from Advance | - | - |
| **Total Cash generated from Investing Activities (d)** | **-** | **-** |

| | | |
|---|---|---|
| **Less - Cash disbursed for:** | | |
| Purchase or Construction of Physical Assets & Acquisition of | 15,332,563 | 10,956,488 |
| Other Investment | 2,266,762 | - |
| Advance Payments | **17,599,325** | **10,956,488** |
| **Total Cash disbursed for Investing Activities (e)** | **-** | **-** |
| **NET CASH FLOW FROM INVESTING ACTIVITIES (f)=(d)-(e)** | **(17,599,325)** | **(10,956,488)** |
| **NET CASH FLOWS FROM OPERATING & INVESTMENT ACTIVITIES (g)=( c) + (f)** | **9,620** | **-** |
| **Cash Flows from Financing Activities** | | |
| Local Borrowings | - | - |
| Foreign Borrowings | - | - |
| Grants Received | - | - |
| Deposit Received | 93,555 | - |
| **Total Cash generated from Financing Activities (h)** | **103,175** | **-** |
| ***Less - Cash disbursed for:*** | | |
| Repayment of Local Borrowings | - | - |
| Repayment of Foreign Borrowings | - | - |
| Deposit Payments | 103,175 | - |
| **Total Cash disbursed for Financing Activities (i)** | **103,175** | **-** |
| **NET CASH FLOW FROM FINANCING ACTIVITIES (J)=(h)-(i)** | **0** | **-** |
| **Net Movement in Cash (k) = (g) -(j)** | **-** | **-** |
| **Opening Cash Balance as at 01st January** | **-** | **-** |
| **Closing Cash Balance as at 31st December** | **-** | **-** |

### 3.4 Notes to the Financial Statements

No notes were attached to the Financial Statements.

### 3.5 Performance of the Revenue Collection

| | | | | | Rs. ,000 |
|---|---|---|---|---|---|
| Revenue Code | Description of the Revenue Code | Revenue Estimate | | Collected Revenue | |
| | | Original | Final | Amount (Rs.) | as a % of Final Revenue Estimate |
| Nil | Nil | | | | |

### 3.6 Performance of the Utilization of Allocation

Rs. ,000

| Type of Allocation | Allocation | | Actual Expenditure | Allocation Utilization as a % of Final Allocation |
|---|---|---|---|---|
| | Original | Final | | |
| **Recurrent** | 74,330 | 79,517 | 73.906 | 93% |
| **Capital** | 23,550 | 19,556.75 | 15,332.56 | 78% |

**3.7 In terms of F.R.208 grant of allocations for expenditure to this Department/District Secretariat/Provincial Council as an agent of the other Ministries/ Departments**

Rs. ,000

| Serial No. | Allocation Received from Which Ministry /Department | Purpose of the Allocation | Allocation | | Actual Expenditure | Allocation Utilization as a % of Final Allocation |
|---|---|---|---|---|---|---|
| | | | Original | Final | | |
| | Nil | | | | | |

### 3.8 Performance of the Reporting of Non-Financial Assets

Rs. ,000

| Assets Code | Code Description | Balance as per Board of Survey Report as at 31.12.2019 | Balance as per financial Position Report as at 31.12.2019 | Yet to be Accounted | Reporting Progress as a % |
|---|---|---|---|---|---|
| 9151 | Building and Structures | Nil | | | |
| 9152 | Machinery and Equipment | | | | |
| 9153 | Land | | | | |
| 9154 | Intangible Assets | | | | |
| 9155 | Biological Assets | | | | |
| 9160 | Work in Progress | | | | |
| 9180 | Lease Assets | | | | |

### 3.9 Auditor General's Report**

The final audit report issued by the Auditor General is scanned and attached herewith as **Annex-I**.

# Chapter 04 – Performance indicators

## 4.1 Performance indicators of the Institute (Based on the Action Plan)

| Specific Indicators | Actual output as a percentage (%) of the expected output | | |
|---|---|---|---|
| | **100%- 90%** | **89%-75%** | **74%- 50%** |
| **Procurement Policy Unit** | | | |
| Issued Guidelines and Manuals on Procurement of Goods, Works, Services and Information Systems | | **89%** | |
| Issued Guidelines and Manuals on Selection and Employment of Consultants | | **75%** | |
| Issued Guidelines on Procurement of Public Private Partnership Projects | | | **60%** |
| Issued Guidelines on Procurement of Pharmaceuticals and Medical Devices | | | **60%** |
| Number of Approved Procedural Manuals | | | **-** |
| Number of Clarifications and interpretations timely provided | **100%** | | |
| Issued Standard Procurement Document on General Goods under National Competitive Bidding | | **75%** | |
| Issued Standard Procurement Document for Shopping Procedure | | **89%** | |
| Issued SPDs for Procurement of Non-Consultancy Services | | | |
| Developed SPD for Procurement of Information Systems | | | |
| Number of validated SPDs developed by CIDA | | | **50%** |
| **Capacity Building Unit** | | | |
| Coordinated activities with other institutions | **100%** | | |
| Issued Communication Strategy | **-** | **-** | **-** |
| Maintained a Pool of Resource Persons | **50%** | | |
| Maintained a Pool of Trainers | **50%** | | |

| Specific Indicators | Actual output as a percentage (%) of the expected output | | |
|---|---|---|---|
| | 100%- 90% | 89%-75% | 74%- 50% |
| Number of conducted Programs at Ministry Level | | | **50%** |
| No. of conducted Training Programs for Departmental Level | | | **50%** |
| No. of conducted Training Programs for Officers of Statutory Bodies | | | **50%** |
| No. of conducted Training Programs for Provincial Level Officers | | | **50%** |
| No. of conducted Training Programs for District Level | | **75%** | |
| No. of conducted Training Programs for Officers in Local Authorities | **-** | **-** | **-** |
| No. of Officers who followed the scheduled Certificate Courses | **100%** | | |
| No. of Experience Sharing Workshops conducted | | | **50%** |
| **Procurement Monitoring Unit** | | | |
| Number of AP collected from government Institutions (218/512) | | | **43%** |
| Number of PP collected from government Institutions (249/512) | | | **49%** |
| Number of reviewed PP along with the AP (4/6) | | | **66%** |
| Number of clarifications obtained as per the discrepancies observed (4/6) | | | **66%** |
| Submitted report to the Parliament | **100%** | | |
| **Post Procurement Review & Detailed Investigations Unit** | | | |
| Number of institutions from which collected details on concluded procurement were obtained | **100%** | | **-** |
| Number of PPRs conducted (49/83selected from the concluded procurements in year 2017) | **-** | **-** | **59.3%** |
| Number of Detailed Investigations conducted | **-** | **-** | **-** |
| Maintained a Pool of Consultants to conduct PPR | **100%** | **-** | **-** |
| **Procurement Investigations Unit** | | | |

| Specific Indicators | Actual output as a percentage (%) of the expected output | | |
|---|---|---|---|
| | **100%- 90%** | **89%-75%** | **74%- 50%** |
| Number of acknowledgments sent to complainants (Number of timely addressed complaints) | **100%** | | |
| Reports called from the Procuring Entity (PE) (Number of timely addressed complaints) | **97%** | | |
| Number of reports/views obtained from the PE | **92%** | | |
| Number of Memos on investigations submitted to the Commission | | **83%** | |
| Number of letters pertaining to the Commission decisions conveyed to the relevant parties (Includes decisions from the previous year, as well.) | | **88%** | |
| **Administration Division** | | | |
| Prepared Human Resource Development Plan | **100%** | | |
| Recruitment of Officers for the vacant positions of NPC [18 out of 24 vacancies addressed (18 is inclusive of 09 Graduate Trainees covering duties in 09 vacant Development Officer posts)] | | **75%** | |
| Conducting productivity improvement training for NPC staff | | | **10%** |
| Partitioning of the new building | | **75%** | |
| Selection of Pool of Consultants to conduct PPRs | **100%** | | |
| Selection of Investigation Officers to conduct detailed investigations | | | **50%** |
| Selection of Assistants to assist Detailed Investigation Officers | | | **50%** |
| Selection of Resource Persons for Capacity Building Programs | | **75%** | |
| **Accounts Division** | | | |
| Holding of Board of Survey | **100%** | | |
| Preparation of Financial Accounts for the year 2018 | **100%** | | |

| Specific Indicators | Actual output as a percentage (%) of the expected output | | |
|---|---|---|---|
| | **100%- 90%** | **89%-75%** | **74%- 50%** |
| Procurement of Supply & Installation of Finger Print Machine | **100%** | | |
| Procurement of Data Switches | **100%** | | |
| Collecting information of Annual Estimates and Summaries | **100%** | | |
| Procurement of Supply of Office Furniture & Office Equipment | **100%** | | |
| Procurement of Computers & Printers | **100%** | | |
| Procurement of 02 Nos of Fax Machines | **100%** | | |
| Procurement of Sound System | | | Not undertaken. |
| Preparation of Annual Estimates for Year 2020 | **100%** | | |
| Appointment of Board of Survey for Year 2019 | **100%** | | |

# Chapter 05 - Performance of the achieving Sustainable Development Goals (SDG)

## 5.1 Indicate the identified respective Sustainable Developments Goals

| **Goal / Objective** | **Targets** | **Indicators of the achievement** | **Progress of the Achievement to date** | | |
|---|---|---|---|---|---|
| | | | **0%-49%** | **50%-74%** | **75%- 100%** |
| **-** | **Nil** | | | | |

## 5.2 Briefly explain the achievements and challenges of the Sustainable Development Goals

The National Procurement Commission is an institution established under the Constitution to regulate and monitor public procurements. As such, it is not a government agency that is tasked with achieving SDG goals and targets.

This is further borne out by the following fact. The official website of the Sustainable Development Council of Sri Lanka which has been established under Sustainable Development Act, No. 19 of 2017, lists under each SDG goal the respective government agencies (http://sdc.gov.lk/agencies/19/12), that are tasked with achieving that particular goal and targets. The National Procurement Commission is not listed at all.

Therefore, it is observed that the above table is not applicable to the Commission.

# Chapter 06 - Human Resource Profile

## 6.1 Cadre Management

| | Approved Cadre | Existing Cadre | Vacancies / (Excess)** |
|---|---|---|---|
| **Senior** | 12 | 10 | 02 |
| **Tertiary** | 07 | 05 | 02 |
| **Secondary** | 23 | 14 | 09 |
| **Primary** | 09 | 09 | 0 |
| | 51 | 38 | 13 |

## 6.2 **Briefly state how the shortage or excess in human resources has affected the performance of the institute.

Most of the cadre positions at NPC, are from the combined services. During the year 2019, every effort was made to fulfill the cadre vacancies by following the established procedures. Several Senior Executive Level posts were advertised in daily newspapers in all three languages and suitable officers from All Island Services, who were selected through an interview by the Commission, were transferred to the NPC with the approval of their appointing authority, the Public Service Commission. The Director General of Combined Services was informed of the vacancies and assistance was sought to fill the vacant posts. When officers were not transferred as requested, measures were taken to deploy qualified personnel on casual basis and also to obtain the services of Graduate Trainees, in order to ensure that the National Procurement Commission carries out its Constitutional Mandate without interruption.

### 6.3 Human Resource Development

| Name of the Program | No. of staff trained | Duration of the program | Total Investment (Rs'000) | | Nature of the Program (Abroad /Local) | Output/ Knowledge Gained |
|---|---|---|---|---|---|---|
| | | | Local | Foreign | | |
| Seminar on Delays, Issues and Constraints in Contract Administration | 01 | 01 Day | 3500/= | | Local | Officer has gained a comprehensive understanding on the topics mentioned in the course title. |
| Monitoring of Sri Lanka's Regional and Bi-Lateral Trading arrangements. | 01 | 01 Day | | | Local | Officer has gained several insights on monitoring SL's regional and bi-lateral trading arrangements. |
| Seminar on Managing, Reducing, Eliminating, Delays, Disputes, Issues, Claims, Corruption Clauses, Unlawful, Impracticable Specification in Government and Privet Sector Contract. | 03 | 01 Day | 12000/= | | Local | Officer has gained a comprehensive understanding on the topics mentioned in the course title. |
| Workshop on Unsolicited Proposals<br>Commercial Law Development Program | 04 | 02 Days | 88692/= | | Abroad | Officers gained a comprehensive understanding of the subject of unsolicited proposals and its practical application in several key countries. |
| Lecture on "Innovation and Change Agent" | 01 | 01 Day | | | Local | Officer gained some insights on the relationship between the Change Agent's role and innovation. |
| Discussion Forum on "Defying Retirement at 55 Years" | 02 | 01 Day | | | Local | Officers gained information on the varied views held regarding the retirement age. |
| Granting knowledge of office system | All staff members | 01 Day | | | Local | Was especially beneficial since most of the staff members are new recruits on probation and were able to gain a comprehensive understanding on the general office systems. |
| Public Finance Regulation | 01 | 03 Days | 18000/= | | Local | Gained a good understanding on the most important FR provisions applicable to the officer in day to day work. |
| Tamil Course | 06 | 50 Hours | 45000/= | | Local | Officers gained the requisite understanding |

<table>
<tr><th rowspan="2">Name of the Program</th><th rowspan="2">No. of staff train ed</th><th rowspan="2">Duratio n of the program</th><th colspan="2">Total Investment (Rs’000)</th><th rowspan="2">Nature of the Program (Abroad /Local)</th><th rowspan="2">Output/<br>Knowledge Gained</th></tr>
<tr><th>Local</th><th>Foreign</th></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td><td>and achieved the level expected by the relevant government circular.</td></tr>
<tr><td>Cash Flow Statements and Control Accounts</td><td>01</td><td>01 Day</td><td>7000/=</td><td></td><td>Local</td><td>Gained knowledge that would benefit the officer in day to day activities.</td></tr>
<tr><td>Public Finance Regulation</td><td>01</td><td>03 Days</td><td>18000/=</td><td></td><td>Local</td><td>Gained a good understanding on the most important FR provisions applicable to the officer in day to day work.</td></tr>
<tr><td>Preparation of Bidding Documents</td><td>01</td><td>01 Day</td><td rowspan="4">45000/=</td><td></td><td>Local</td><td rowspan="4">Gained a good understanding of the topic which benefits the officer in day to day work.</td></tr>
<tr><td>Bid Evaluation</td><td>01</td><td>01 Day</td><td></td><td>Local</td></tr>
<tr><td>Detailed Procurement Procedure</td><td>04</td><td>01 Day</td><td></td><td>Local</td></tr>
<tr><td>Bidding Process</td><td>01</td><td>01 Day</td><td></td><td>Local</td></tr>
<tr><td>Government Payroll System</td><td>01</td><td>03 Days</td><td>18000/=</td><td></td><td>Local</td><td>Gained knowledge that would benefit the officer in day to day activities.</td></tr>
<tr><td>Public Finance Regulation</td><td>04</td><td>03 Days</td><td>72000/=</td><td></td><td>Local</td><td>Gained knowledge that would benefit the officer in day to day activities.</td></tr>
<tr><td>Certificate Course in Public Procurement Management</td><td>07</td><td>05 Days</td><td>174000/ =</td><td></td><td>Local</td><td>Gained a very good understanding on the course content that is very much beneficial in assisting them to better perform their role at NPC.</td></tr>
</table>

## Chapter 07– Compliance Report

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 1 | **The following Financial statements/accounts have been submitted on due date** | | | |
| 1.1 | Annual financial statements | Complied | | |
| 1.2 | Advance to public officers account | Complied | | |
| 1.3 | Trading and Manufacturing Advance Accounts (Commercial Advance Accounts) | Not Complied | Not applicable. | |
| 1.4 | Stores Advance Accounts | Not Complied | Not applicable. | |
| 1.5 | Special Advance Accounts | Complied | | |
| 1.6 | Others | | | |
| 2 | **Maintenance of books and registers (FR445)/** | | | |
| 2.1 | Fixed assets register has been maintained and update in terms of Public Administration Circular 267/2018 | Complied | | |
| 2.2 | Personal emoluments register/ Personal emoluments cards has been maintained and update | Complied | | |
| 2.3 | Register of Audit queries has been maintained and update | Complied | | |
| 2.4 | Register of Internal Audit reports has been maintained and updated | Not Complied | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4$^{th}$ of his basic |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| | | | | salary. 2.4 will be complied in 2020 accordingly. |
| 2.5 | All the monthly account summaries (CIGAS) are prepared and submitted to the Treasury on due date | Complied | | |
| 2.6 | Register for cheques and money orders has been maintained and update | Complied | | |
| 2.7 | Inventory register has been maintained and update | Complied | | |
| 2.8 | Stocks Register has been maintained and update | Complied | | |
| 2.9 | Register of Losses has been maintained and update | Complied | | |
| 2.10 | Commitment Register has been maintained and update | Complied | | |
| 2.11 | Register of Counterfoil Books (GA – N20) has been maintained and update | Complied | | |
| 03 | **Delegation of functions for financial control (FR 135)** | | | |
| 3.1 | The financial authority has been delegated within the institute | Complied | | |
| 3.2 | The delegation of financial authority has been communicated within the institute | Complied | | |
| 3.3 | The authority has been delegated in such manner so as to pass each transaction through two or more officers | Complied | | |
| 3.4 | The controls has been adhered to by the Accountants in terms of State Account Circular 171/2004 dated 11.05.2014 in using the Government Payroll Software Package | Complied | | |
| 4 | **Preparation of Annual Plans** | | | |
| 4.1 | The annual action plan has been prepared | Complied | | |
| 4.2 | The annual procurement plan has been prepared | Complied | | |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 4.3 | The annual Internal Audit plan has been prepared | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4$^{th}$ of his basic salary. 4.3 will be complied accordingly, in 2020. |
| 4.4 | The annual estimate has been prepared and submitted to the NBD on due date | Complied. | | |
| 4.5 | The annual cash flow has been submitted to the Treasury Operations Department on time | Complied. | | |
| 5 | **Audit queries** | | | |
| 5.1 | All the audit queries has been replied within the specified time by the Auditor General | Complied. | | |
| 6 | **Internal Audit** | | | |
| 6.1 | The Internal Audit Plan has been prepared at the beginning of the year after consulting the Auditor General in terms of Financial Regulation 134(2))DMA/1-2019 | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4$^{th}$ of his basic salary. 6.1 will be complied accordingly, in 2020. |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 6.2 | All the internal audit reports has been replied within one month | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4th of his basic salary. 6.2 will be complied accordingly, in 2020. |
| 6.3 | Copies of all the internal audit reports has been submitted to the Management Audit Department in terms of Sub-section 40(4) of the National Audit Act No. 19 of 2018 | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4th of his basic salary. 6.3 will be complied accordingly, in 2020. |
| 6.4 | All the copies of internal audit reports has been submitted to the Auditor General in terms of Financial Regulation134(3) | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4th of his basic salary. 6.4 will be complied |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| | | | | accordingly, in 2020. |
| 7 | **Audit and Management Committee** | | | |
| 7.1 | Minimum 04 meetings of the Audit and Management Committee has been held during the year as per the DMA Circular 1-2019 | Not Complied. | DMS approval was not given for the creation of an Internal Auditor post for the NPC, despite repeated requests. | By DMS letter dated 2019-12-26 approval was given to obtain the services of an Internal Auditor from another government office, on the basis of paying 1/4$^{th}$ of his basic salary. 7.1 will be complied accordingly, in 2020. |
| 8 | **Asset Management** | | | |
| 8.1 | The information about purchases of assets and disposals was submitted to the Comptroller General's Office in terms of Paragraph 07 of the Asset Management Circular No. 01/2017 | Complied. | | |
| 8.2 | A suitable liaison officer was appointed to coordinate the implementation of the provisions of the circular and the details of the nominated officer was sent to the Comptroller General's Office in terms of Paragraph 13 of the aforesaid circular | Complied. | | |
| 8.3 | The boards of survey was conducted and the relevant reports submitted to the Auditor General on due date in terms of Public Finance Circular No. 05/2016 | Complied. | | |
| 8.4 | Theexcessesanddeficitsthatweredisclosedthroughtheboardofsurveyandotherrelatingrecommendations,actionswerecarriedout during the period specified in the circular | Complied. | | |
| 8.5 | The disposal of condemn articles had been carried out in terms of FR 772 | Complied. | | |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 9 | **Vehicle Management** | | | |
| 9.1 | The daily running charts and monthly summaries of the pool vehicles had been prepared and submitted to the Auditor General on due date | Not complied. | Not Relevant.<br><br>No pool vehicles. | |
| 9.2 | The condemned vehicles had been disposed of within a period of less than 6 months after condemning | Not complied. | Not relevant.<br><br>No condemned vehicles. | |
| 9.3 | The vehicle logbooks had been maintained and updated | Complied. | | |
| 9.4 | The action has been taken in terms of F.R. 103, 104, 109 and 110 with regard to every vehicle accident | Complied. | | |
| 9.5 | The fuel consumption of vehicles has been re-tested in terms of the provisions of Paragraph 3.1 of the Public Administration Circular No. 30/2016 of 29.12.2016 | Not complied. | Not relevant.<br><br>No pool vehicles. | |
| 9.6 | The absolute ownership of the leased vehicle log books has been transferred after the lease term | Not complied. | Not relevant.<br><br>Lease term not yet completed. | |
| 10 | **Management of Bank Accounts** | | | |
| 10.1 | The bank reconciliation statements had been prepared, got certified and made ready for audit by the due date | Complied | | |
| 10.2 | The dormant accounts that had existed in the year under review or since previous years settled | Complied | | |
| 10.3 | The action had been taken in terms of Financial Regulations regarding balances that had been disclosed through bank reconciliation statements and for which adjustments had to be made, and had those balances been settled within one month | Complied | | |
| 11 | **Utilization of Provisions** | | | |
| 11.1 | The provisions allocated had been spent without exceeding the limit | Complied. | | |
| 11.2 | The liabilities not exceeding the provisions that remained at the end of the year as per the FR 94(1) | Complied. | | |
| 12 | **Advances to Public Officers Account** | | | |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 12.1 | The limits had been complied with | Complied. | | |
| 12.2 | A time analysis had been carried out on the loans in arrears | Complied. | | |
| 12.3 | The loan balances in arrears for over one year had been settled | Complied. | | |
| 13 | **General Deposit Account** | Complied. | | |
| 13.1 | The action had been taken as per F.R.571 in relation to disposal of lapsed deposits | Complied. | | |
| 13.2 | The control register for general deposits had been updated and maintained | Complied. | | |
| 14 | **Imprest Account** | | | |
| 14.1 | The balance in the cash book at the end of the year under review remitted to TOD | Complied. | | |
| 14.2 | The ad-hoc sub imprests issued as per F.R. 371 settled within one month from the completion of the task | Complied. | | |
| 14.3 | The ad-hoc sub imprests had not been issued exceeding the limit approved as per F.R. 371 | Complied. | | |
| 14.4 | The balance of the Imprest account had been reconciled with the Treasury books monthly | Complied. | | |
| 15 | **Revenue Account** | | | |
| 15.1 | The refunds from the revenue had been made in terms of the regulations | Not Complied. | Not relevant.<br><br>No Income | |
| 15.2 | The revenue collection had been directly credited to the revenue account without credited to the deposit account | Not Complied. | Not relevant.<br><br>No Income | |
| 15.3 | Returns of arrears of revenue forward to the Auditor General in terms of FR 176 | Not Complied. | Not relevant.<br><br>No Income | |
| 16 | **Human Resource Management** | | | |
| 16.1 | The staff had been paid within the approved cadre | Complied. | | |
| 16.2 | All members of the staff have been issued a duty list in writing | Complied. | | |
| 16.3 | All reports have been submitted to MSD in terms of their circular no.04/2017 dated 20.09.2017 | Complied. | | |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 17 | **Provision of information to the public** | | | |
| 17.1 | An information officer has been appointed and a proper register of information is maintained and updated in terms of Right To Information Act and Regulation | Complied. | | |
| 17.2 | Information about the institution to the public have been provided by Website or alternative measures and has it been facilitated to appreciate / allegation to public against the public authority by this website or alternative measures | Complied. | | |
| 17.3 | Bi-Annual and Annual reports have been submitted as per section 08 and 10 of the RTI Act | Section 8 – Not relevant.<br>Section 10 - Not complied. | Section 8 is applicable to Ministries. Therefore, NPC is not required to comply with it.<br>Section 10 – Had not been addressed due to an oversight. | Action will be taken to comply with Section 10 in year 2020. |
| 18 | **Implementing citizens charter** | | | |
| 18.1 | A citizens charter / Citizens client's charter has been formulated and implemented by the Institution in terms of the circular number 05/2008 and 05/2008(1) of Ministry of Public Administration and Management | Not complied. | Not applicable.<br>As per the provisions of the Constitution, role of the NPC is to regulate, monitor and report on public procurements. As such, there are no direct services it can render to citizens. | Not applicable. |

| No. | Applicable Requirement | Compliance Status (Complied/ Not Complied) | Brief explanation for Non Compliance | Corrective actions proposed to avoid non-compliance in future |
|---|---|---|---|---|
| 18.2 | A methodology has been devised by the Institution in order to monitor and assess the formulation and the implementation of Citizens Charter / Citizens client's charter as per paragraph 2.3 of the circular | Not complied. | Not applicable.<br><br>The NPC has been established by the Constitution as a regulatory and monitoring authority. As such, there are no direct services it can render to citizens. | Not applicable. |
| 19 | **Preparation of the Human Resource Plan** | | | |
| 19.1 | A human resource plan has been prepared in terms of the format in Annexure 02 of Public Administration Circular No.02/2018 dated 24.01.2018. | Complied. | | |
| 19.2 | A minimum training opportunity of not less than 12 hours per year for each member of the staff has been ensured in the aforesaid Human Resource Plan | Complied. | | |
| 19.3 | Annual performance agreements have been signed for the entire staff based on the format in Annexure 01 of the aforesaid Circular | Not complied. | Due to prioritizing other urgent matters, this had not been completed. | Action will be taken in 2020 to enter into Performance Agreements with all staff members. |
| 19.4 | A senior officer was appointed and assigned the responsibility of preparing the human resource development plan, organizing capacity building programs and conducting skill development programs as per paragraph No.6.5 of the aforesaid Circular | Complied. | | |
| 20 | **Responses to Audit Paras** | | | |
| 20.1 | The shortcomings pointed out in the audit paragraphs issued by the Auditor General for the previous years have been rectified | Complied. | | |